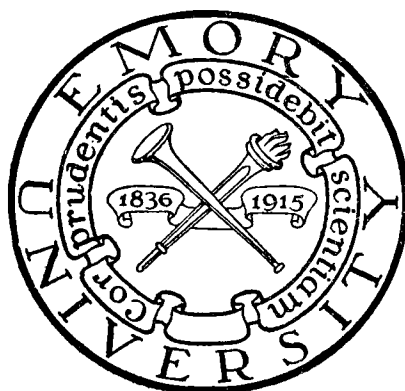


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# JOURNAL.

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ATLANTA, GEORGIA,  
Wednesday, November 1, 1871.

The House of Representatives of the State of Georgia, met pursuant to law, in the Representative Hall, in the city of Atlanta, and was called to order by the Hon. M. A. Hardin, Clerk *pro tem.*, the Clerk being absent.

The Clerk *pro tem.* proceeded to call the roll of the counties, when the following members present were sworn in as Representatives from the several counties, according to the Constitution and laws of this State, by the Hon. David B. Harrell, Judge of the Superior Courts for the Pataula Circuit.

*Appling*—Hon. Lemuel Sellers.

*Baker*—Hon. Henry Tarver.

*Baldwin*—Hon. Peter O'Neal.

*Banks*—Hon. Nathaniel Wofford.

*Bartow*—Hon. John W. Gray, Hon. John W. Wofford.

*Berrien*—Hon. H. T. Peeples.

*Brooks*—Hon. James H. Hunter.

*Bryan*—Hon. C. H. Baker.

*Bulloch*—Hon. D. L. Kennedy.

*Burke*—Hon. P. D. Cox, Hon. T. M. Berrien, Hon. R. A. Murphy.

*Butts*—Hon. Thomas S. Hammond.

*Camden*—Hon. H. L. Hillyer.

*Campbell*—Hon. John Goodman.

*Carroll*—Hon. John S. Pentecost.

*Catoosa*—Hon. W. H. Payne.

- Charlton*—Hon. Jehu Paxton.  
*Chatham*—Hon. Isaac Russell, Hon. Emanuel Heidt.  
*Chattahoochee*—Hon. David C. Cody.  
*Chattooga*—Hon. C. C. Cleghorn.  
*Cherokee*—Hon. John B. Richards.  
*Clarke*—Hon. M. Davis, Hon. A. Richardson.  
*Clay*—Hon. John B. Johnson.  
*Clayton*—Hon. William N. McConnell.  
*Clinch*—Hon. H. A. Mattox.  
*Cobb*—Hon. W. D. Anderson, Hon. W. P. Anderson.  
*Coffee*—Hon. John M. Spence.  
*Colquitt*—Hon. Isaac Carlton.  
*Columbia*—Hon. S. C. Lamkin, Hon. G. P. Stovall.  
*Coweta*—Hon. H. J. Sargent, Hon. S. Smith.  
*Crawford*—Hon. Williams Rutherford.  
*Dade*—Hon. E. D. Graham.  
*Dawson*—Hon. John Palmer.  
*Decatur*—Hon. A. N. Bruton, Hon. J. D. Williams.  
*DeKalb*—Hon. W. L. Goldsmith.  
*Dooley*—Hon. John H. Woodward.  
*Dougherty*—Hon. F. F. Putney.  
*Early*—Hon. B. Chancey.  
*Echols*—Hon. R. W. Phillips.  
*Effingham*—Hon. Morgan Rawls.  
*Elbert*—Hon. Emory P. Edwards.  
*Emanuel*—Hon. W. P. Roundtree.  
*Fannin*—Hon. William Franklin.  
*Fayette*—Hon. William Whatley.  
*Floyd*—Hon. M. R. Ballanger, Hon. Dunlap Scott.  
*Forsyth*—Hon. Isaac L. Hughes.  
*Franklin*—Hon. A. W. Brawner.  
*Fulton*—Hon. E. F. Hoge, Hon. J. S. Wilson, Hon. Henry Jackson.  
*Gilmer*—Hon. Joseph P. Chastain.  
*Glascock*—Hon. W. G. Braddy.  
*Glynn*—Hon. James Blue.  
*Gordon*—Hon. Joel C. Fain.  
*Greene*—Hon. R. L. McWhorter, Hon. A. Colby.

*Gwinnett*—Hon. W E. Simmons, Hon. G. H. Jones.

*Habersham*—Hon. Garnett McMillan.

*Hall*—Hon. L. A. Simmons.

*Hancock*—Hon. George F Pierce, jr., Hon. F A. Butts.

*Haralson*—Hon. Wm. J. Head.

*Harris*—Hon. J W Murphy, Hon. C. T. Patillo.

*Hart*—Hon. James W Jones.

*Henry*—Hon. George W Bryan.

*Houston*—Hon. J. R. Griffin, Hon. George Ormond,  
Hon. A. Simmons.

*Irwin*—Hon. Reason Paulk.

*Jackson*—Hon. J. R. Hancock.

*Jasper*—Hon. A. J. Watters.

*Jefferson*—Hon. W P Johnson, Hon. A. Beaseley.

*Johnson*—Hon. W H. Martin.

*Jones*—Hon. Samuel Barron.

*Laurens*—Hon. C. J. Guyton.

*Lee*—Hon. H. B. Lipsey, Hon. George F Page.

*Liberty*—Hon. J W Farmer.

*Lincoln*—Hon. Henry J. Lang.

*Lowndes*—Hon. A. Converse

*Lumpkin*—Hon. H. W Riley

*Macon*—Hon. L. C. Jones, Hon. W Oliver.

*Madison*—Hon. Isaac J. Meadows.

*Marion*—Hon. T. W Harvey.

*McIntosh*—Hon. T. G. Campbell, jr.

*Meriwether*—Hon. J. W Moreland.

*Miller*—Hon. Isaac A. Bush.

*Milton*—Hon. James M. Howell.

*Mitchell*—Hon. L. A. M. Collins.

*Monroe*—Hon. G. H. Clower, Hon. J Brown.

*Morgan*—Hon. M. Floyd.

*Montgomery*—Hon. J. D. Clements.

*Murray*—Hon. S. E. Field.

*Muscogee*—Hon. J. M. Smith, Hon. J. F Pou.

*Newton*—Hon. J. B. Davis, Hon. J M. Summers.

*Oglethorpe*—Hon. W W Davenport, Hon. J. F.  
Smith.

*Paulding*—Hon. R. Trammell.  
*Pickens*—Hon. J. M. Allred.  
*Pierce*—Hon. D. E. Knowles.  
*Pike*—Hon. John H. Baker.  
*Polk*—Hon. M. H. Bunn.  
*Pulaski*—Hon. J. E. Booth, Hon. J. A. Hendley  
*Putnam*—Hon. James A. Etheridge.  
*Quitman*—Hon. James H. Guerry  
*Rabun*—Hon. George M. Netherland.  
*Randolph*—Hon. S. A. McNeal, Hon. R. F. Crittenden.  
*Richmond*—Hon. J. B. Cumming, Hon. Claiborne Snead, Hon. W. A. Clark.  
*Schley*—Hon. Charles B. Hudson.  
*Screven*—Hon. J. C. Dell.  
*Spalding*—Hon. D. A. Johnson.  
*Stewart*—Hon. J. B. Mansfield, Hon. J. A. Lewis.  
*Sumter*—Hon. Wright Brady, Hon. Sterling Glover.  
*Talbot*—Hon. P. Morris.  
*Tatnall*—Hon. J. B. Brewton.  
*Taylor*—Hon. W. G. Bateman.  
*Telfair*—Hon. H. L. W. Craig.  
*Terrell*—Hon. John R. Jones.  
*Thomas*—Hon. J. Battle, Hon. A. F. Atkinson.  
*Towns*—Hon. D. W. Killian.  
*Troup*—Hon. W. H. Clark, Hon. W. W. Cato.  
*Twiggs*—Hon. E. S. Griffin.  
*Union*—Hon. Joseph Reid.  
*Upson*—Hon. John I. Hall.  
*Walker*—Hon. J. Y. Wood.  
*Walton*—Hon. C. L. Bowie.  
*Ware*—Hon. D. Morrison.  
*Warren*—Hon. J. Barksdale.  
*Washington*—Hon. J. W. Renfroe, Hon. H. Taylor.  
*Webster*—Hon. A. C. Bell.  
*White*—Hon. James F. West.  
*Whitfield*—Hon. C. J. Emerson.  
*Wilkes*—Hon. H. P. Slaton, Hon. S. W. Wynn.  
*Wilkinson*—Hon. C. H. Hooks.

*Wilcox*—Hon. D. C. Mann.

*Worth*—Hon. Royal R. Jenkins.

All the Representatives present being sworn, the House proceeded with the election of a Speaker, the members voting *viva voce*, when, upon receiving and adding up the vote, it appeared that the Hon. James M. Smith, of Muscogee county, had received one hundred and thirty-five votes, and the Hon. Joel R. Griffin, of Houston county, twenty-one.

The Hon. James M. Smith having received a majority of the whole number of votes polled, was declared duly elected Speaker of the House of Representatives of Georgia.

Mr. McMillan of Habersham moved that a committee of three be appointed to conduct the Speaker elect to his seat, which motion prevailed, and the Chair appointed as such committee Messrs. McMillan of Habersham, Griffin of Houston, and Cumming of Richmond.

Which duty being performed, the Speaker elect said that he thanked the House for the generous confidence it had manifested towards himself; that the duties of his position were many and difficult, and that he counseled justice and moderation.

The House then proceeded with the election of a Clerk, the members voting *viva voce*, when, upon receiving and adding up the vote, it appeared that the Hon. James D. Waddell had received 131, and the Hon. J. R. W Johnston had received 22 votes.

The Hon. James D. Waddell having received a majority of the whole number of votes polled, was declared duly elected Clerk of the House of Representatives of Georgia.

The Speaker announced that he had received a written communication from the Executive Department, which, on motion, was read, and is as follows:



EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 1, 1871.

*To the presiding officer of the House of Representatives :*

SIR: I herewith transmit the papers in the contested election case of Bibb county, together with the letter of the Secretary of State to Governor R. B. Bullock.

Notwithstanding the recommendations in that letter, I think best to refer the whole matter to the House, as the proper judge of the qualifications of its own members.

BENJAMIN CONLEY, *Governor.*

Mr. McMillan of Habersham offered the following resolution :

*Resolved*, That a committee of three be appointed to consider and report, for the information and action of the House, who are the Representatives elect from the county of Bibb.

Mr. Anderson of Cobb moved to amend by striking out "three" and inserting "seven," which amendment was agreed to, and the resolution, as amended, was read and adopted.

Mr. Jackson of Fulton asked leave to introduce a bill for a first reading, which was not granted.

Mr. Scott of Floyd offered the following resolutions, which were not taken up :

1. *Resolved by the General Assembly of the State of Georgia*, That Rufus B. Bullock, so-called Governor of this State, who has resigned his office and fled the State, charged with high crimes, in intimating, as he does intimate, in a letter, bearing date 23d October, 1871, addressed to his political friends and the people of Georgia, that a majority of the House of Representatives had pledged themselves to vote for articles

of impeachment against him, without investigation, and that the Senate had determined to unseat a sufficient number of Republican Senators to secure his conviction, without regard to the truth and validity of the charges, has grossly defamed this General Assembly, by charges which are utterly false.

2. That the statement in the same letter, to the effect that any known portion of the people of Georgia have recently denounced or ignored the Constitution of the United States, is utterly false and defamatory of the people of this State.

3. That there is a vacancy in the office of Governor of said State, and that, in the opinion of this General Assembly, Hon. L. N. Trammell, President of the Senate, is the person who is entitled *ex officio*, as such President is entitled under the Constitution of this State, to exercise the powers of the Executive Department during the continuance of said vacancy.

4. That a joint committee of two from the House and one from the Senate be appointed to wait on the Hon. Benjamin Conley, who, as former President of the Senate, is now exercising the powers of the Executive Department, and communicate to him the third of these resolutions, and report what he may answer thereto.

On motion of Mr. Phillips of Echols, the House adjourned until to-morrow at 10 o'clock A. M.

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ATLANTA, GEORGIA,  
Thursday, November 2, 1871.

The House met pursuant to adjournment, and was called to order by the Hon. J. M. Smith, Speaker.

The proceedings were opened with prayer by the Rev. W. H. Strickland.

On motion of Mr. Hudson of Schley, the calling of the roll was dispensed with.

The Journal of yesterday was read and approved.

Mr. Joiner, Representative elect from the county of Dougherty, and Mr. Flynt, Representative elect from the county of Taliaferro, presented themselves, and were sworn in.

The House proceeded to the election of a Messenger, the members voting *viva voce*, and on receiving and adding up the votes, it appeared that Jesse Oslin had received one hundred and thirty-two votes, and A. H. Gaston twenty-two. Whereupon, Jesse Oslin was declared elected Messenger, and duly qualified as such.

The House proceeded to the election of a Door-Keeper, the members voting *viva voce*, and on receiving and adding up the votes, it appeared that W. J. Born had received one hundred and twenty-three votes; H. Reese, nineteen; B. F. Porter, seven; W. L. Clay, five; J. F. Grant, one; and H. S. Harris, one. Whereupon, W. J. Born was declared elected Door-Keeper, and duly qualified as such.

Mr. McMillan of Habersham offered the following resolution:

*Resolved*, That a committee of three be appointed to wait upon the clergy of this city, and secure the offices of a Chaplain to the House.

Mr. Hoge of Fulton offered the following as a substitute:

*Resolved*, That the Speaker be authorized and requested to appoint a Chaplain to the House of Representatives.

The substitute was adopted.

Mr. Scott of Floyd, offered the following resolution, which was adopted:

*Resolved*, That the reporters of the several newspapers in this State shall have the freedom of this floor, and that desks be provided for them, not to exceed one desk and reporter for each newspaper.

Mr. Sneed of Richmond offered the following resolutions:

*Resolved*, That the Speaker appoint a committee of seven to prepare and report rules for the government of this House.

*Resolved*, That the rules adopted in 1870 be recognized as the rules by which this House shall be controlled, until the report of said committee is made and adopted.

The resolutions were adopted, and the Speaker announced the following gentlemen as composing said committee: Messrs. Sneed, McMillan, Philips of Echols, Hall of Upson, McWhorter, and Pou.

Mr. Scott of Floyd, offered the following resolution: which was adopted.

*Resolved*, That, until the adoption of rules, the hour of meeting of this House shall be ten o'clock A. M.

Mr. Goldsmith of DeKalb offered the following resolution, which was adopted:

*Resolved*, That the portion of the gallery fronting the Speaker's desk be specially set apart for the use of the ladies.

The Speaker announced that the committee on the Bibb county contested election are, Messrs. McMillan of Habersham, W. D. Anderson, of Cobb, Rutherford of Crawford, Berrien of Burke, Hendley of Pulaski, McWhorter of Greene, Griffin of Twiggs.

Leave of absence was granted Mr. George F. Page of Lee, on account of sickness.

Leave of absence, for a few days, was granted Mr. Bateman of Taylor.

Mr. Simmons of Gwinnett, offered the following resolution:

*Resolved*, That the members of the House retain their present seats during the session.

Mr. W. D. Anderson of Cobb, offered the following as a substitute:

*Resolved*, That this House proceed to the drawing of seats for the session, the drawing to be by counties.

Mr. McWhorter of Greene, offered the following as a substitute for both:

*Resolved*, That the first business for to-morrow (Friday) will be the drawing of seats by the members of the House.

Mr. McWhorter's substitute was adopted.

Mr. Jackson of Fulton introduced a bill to be entitled an act to repeal an act entitled an act to make it lawful for the legal voters of the city of Atlanta to vote for Mayor in any one of the wards of said city: *Provided*, no person shall vote but one time at the same election, and to prevent any person from voting for Concilmen for any other ward than the one in which he actually resides at the time of voting, assented to October 25, 1870, which was read the first time.

Mr. Lang of Lincoln introduced a bill to be entitled an act to alter the law in relation to interest on money, which was read the first time.

Mr. Simmons of Gwinnett introduced an act to make it a penal offence for a laborer to abandon his employer before the expiration of the term he contracted to labor, and for other purposes, which was read the first time.

Mr. Hudson of Schley introduced a bill to alter and amend the 256th section of the Code, and to require all

writs and bills in equity to be recorded before termination of suit, which was read the first time.

On motion of Mr. McWhorter of Greene, the Clerk was instructed to inform the Senate that the House had been organized by the election of the Hon. James M. Smith, of Muscogee, as Speaker, and James D. Waddell, of Cobb, as Clerk, and was now ready to proceed to business.

On motion of Mr. Hudson of Schley, the House adjourned till 10 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Friday, November 3, 1871.

The House met at 10 o'clock A. M. and was called to order by the Speaker.

Prayer by Rev W H. Strickland.

On motion of Mr. Phillips of Echols, the calling of the roll was dispensed with.

Mr. J. D. Woodall, Representative elect from the county of Talbot, and Mr. Abram Dukes, Representative elect from the county of Morgan, appeared and were sworn in.

The Journal of yesterday was read and approved.

Mr. Riley of Lumpkin moved to reconsider the granting of a leave of absence to Mr. Page of Lee, which was done on yesterday

Mr. Jones of Macon moved to lay the motion to reconsider on the table. Lost.

Mr. Simmons of Gwinnett moved, as a substitute for so much of the Journal of yesterday as granted leave of absence to Mr. Page, the following resolution:

*Resolved*, That a committee of three be appointed



by the Speaker of the House, to inquire into the cause of the absence of Mr. Page, one of the members from the county of Lee, and to report to this House the result of such investigation to-morrow morning, immediately after the reading of the Journal.

The motion to reconsider prevailed.

Mr. Simmons' resolution was then adopted, and the Speaker announced the following gentlemen as the committee appointed thereunder: Messrs. Simmons of Gwinnett, Riley, and McWhorter.

The following message was received from the Senate, through Mr. Hill, their Secretary:

*Mr. Speaker:*

I am directed by the Senate to inform the House of Representatives that the Senate has been organized by the election of the Hon. L. N. Trammell, Senator elect from the Forty-third Senatorial District, as President, and Thomas W. J. Hill, of the county of Fulton, as Secretary, and is now ready to proceed to business.

Mr. Phillips of Echols offered a resolution, that the Hon. Wright Brady of Sumter be allowed to retain his present seat during the session, on account of his ill health. Adopted.

Mr. Hoge of Fulton moved to suspend the order of business, which was the drawing of seats under the resolution of yesterday, for the purpose of offering a resolution. Lost.

The House proceeded to the drawing of seats, the drawing being by counties.

Mr. Hoge of Fulton offered the following resolution:

Both houses of the General Assembly being now organized and ready to proceed to business, and the Hon. Benjamin Conley being in possession of the Executive office, and in the actual exercise of the Executive powers of this State:

*Resolved*, That he be waited on by a joint committee, consisting of two members of the Senate and three members of the House of Representatives, and informed that the General Assembly is ready to receive from him any communication he may have to submit.

Mr. Cumming of Richmond offered the following as a substitute:

Whereas, Rufus B. Bullock, late Governor of this State, on the 30th of October, ultimo, resigned the office of Governor, and turned over to the Hon. Benjamin Conley, heretofore President of the Senate, the Executive Department of this State;

And whereas, Article four, section one, paragraph four of the Constitution of this State provides, that on the resignation of the Governor, the President of the Senate shall exercise the Executive powers of the government;

And whereas, The Hon. Leonidas N. Trammell, on the first day of November, instant, was duly elected and qualified President of the Senate.

*Therefore be it resolved by the General Assembly of the State of Georgia*, That, in the opinion of the General Assembly, the Hon. Leonidas N Trammell is entitled, under the Constitution of this State, to exercise the Executive powers of the government, until provision is made by law and an election held in accordance with such provision, for filling the unexpired term of Rufus B. Bullock, late Governor.

*Resolved*, That copies of this preamble and of these resolutions be transmitted to the Hon. Benjamin Conley and the Hon. Leonidas N Trammell, and that they be respectfully requested to inform the General Assembly of their action in view of these resolutions.

Mr. Scott of Floyd moved the adoption of the substitute.

Mr. Pierce of Hancock called the previous question.

The call was sustained, and the question recurred on the resolutions of Mr. Cumming.

Mr. Scott of Floyd called for the yeas and nays.

Those voting in the affirmative are Messrs.—

Anderson, William D.,	Flynt,	McMillan,
Anderson, William P.,	Goldsmith,	Meadows,
Baker of Pike,	Guerry,	Netherland,
Ballanger,	Guyton,	Paxton,
Barksdale,	Hammond,	Pierce,
Barron,	Heidt,	Roundtree,
Brawner,	Jackson,	Russell,
Butts,	Johnson of Clay,	Scott,
Clark of Richmond,	Jones of Hart,	Sellers,
Cleghorn,	Kennedy,	Slaton,
Cumming,	Killion,	Snead,
Dell,	Knoles,	Stovall,
Edwards,	Lamkin,	Woodward,
Farmer,	Lang,	Wynn.

Those voting in the negative are Messrs.—

Allred,	Collins,	Howell,
Atkinson,	Converse,	Hooks,
Baker of Bryan,	Cox,	Hudson,
Battle,	Craig,	Hughes,
Beaseley,	Crittenden,	Hunter,
Bell,	Davenport,	Jenkins,
Berrien,	Davis of Clarke,	Johnson of Spalding,
Blue,	Davis of Newton,	Joiner,
Booth,	Dukes,	Jones of Gwinnett,
Bowie,	Emerson,	Jones of Macon,
Braddy,	Etheridge,	Jones of Terrell,
Brady,	Fain,	Lewis,
Brewton of Tatnall,	Field,	Lipsey,
Bruton of Decatur,	Floyd,	Mann,
Brown,	Franklin,	Mansfield,
Bunn,	Glover,	Martin,
Bush,	Goodman,	Mattox,
Campbell,	Graham,	McConnell,
Carlton,	Gray,	McNeal,
Cato,	Griffin of Houston,	McWhorter,
Chancey,	Griffin of Twiggs,	Moreland,
Chastain,	Hall of Upson,	Morris,
Clark of Troup,	Head,	Morrison,
Clower,	Hendley,	Murphy of Burke,
Cody,	Hillyer,	Murphy of Harris,
Colby,	Hoge,	Oliver,

O'Neal,	Richards,	Tarver,
Ormond,	Richardson,	Taylor,
Palmer,	Riley,	Trammell,
Patillo,	Rutherford,	Watters,
Paulk,	Sargent,	West,
Payne,	Simmons of Gwinnett,	Whatley,
Peeples,	Simmons of Hall,	Williams,
Pentecost,	Simmons of Houston,	Wilson,
Phillips,	Smith of Coweta,	Wofford of Banks,
Pou,	Smith of Oglethorpe,	Wofford of Bartow,
Putney,	Spence,	Wood,
Rawls,	Summers,	Woodall,
Renfroe,		

Yeas, 41. Nays, 115.

So the substitute of Mr. Cumming was lost.

The resolution of Mr. Hoge was then adopted.

The following message was received from the Senate, through Mr. Hill, their Secretary:

*Mr Speaker:*

The Senate has agreed to a resolution appointing a committee of two on the part of the Senate, and three on the part of the House of Representatives, to wait on the Hon. Benjamin Conley, and inform him that both branches of the General Assembly are now organized and ready to receive from him any communication which he may have to submit, and have appointed, on the part of the Senate, as such committee, Messrs. Lester and Brock.

The resolution of the Senate, providing for a joint committee to inform the Hon. Benjamin Conley of the organization of the General Assembly, was concurred in by the House, and the following gentlemen were appointed as such committee on the part of the House: Messrs. Hoge of Fulton, Hall of Upson and Clark of Richmond.

Mr. Guyton of Laurens was granted leave of absence, after to-day, until Monday next.

Mr. Hunter of Brooks offered the following resolution:

*Resolved*, That the Legislature will proceed at once to provide for the election of Governor in terms of the Constitution of this State.

Mr. Hall of Upson introduced a bill to be entitled an act to provide for a special election for Governor to fill the unexpired term of Rufus B. Bullock, late Governor, and for other purposes, which was read the first time.

Mr. Jackson introduced the following resolution:

*Resolved*, That Rufus B. Bullock, late Governor of the State of Georgia, who has resigned his office, and left the State under circumstances creating grave suspicion that he is guilty of high crimes and misdemeanors, has, in charging, in a letter bearing date 23d October, 1871, addressed to his political friends and the people of Georgia, that a majority of the House of Representatives had pledged themselves to vote for articles of impeachment against him without investigation, and that the Senate had determined to unseat a sufficient number of Republican Senators to secure his conviction, without regard to the truth and validity of the charges, defamed this General Assembly by charges which are untrue.

That the statement in the same letter to the effect, that the people of Georgia have recently denounced or ignored the Constitution of the United States, is false and defamatory of the people of this State.

On the contrary, we assert that the people of this State do *now*, as they did six months ago, (when, according to the letter of the said Rufus B. Bullock, they were peaceably disposed,) acquiesce in the result of the war, and neither entertain any hostility towards the United States, nor deny to any person within the limits of the State the equal protection of the laws.

Mr. Jackson moved to call up the original resolutions on this subject, offered by Mr. Scott on yesterday, and the adoption of the foregoing resolution as a substitute for the same.

The yeas and nays were called for.

Those voting in the affirmative are Messrs.—

Anderson, William D.	Franklin,	Morrison,
Anderson, William P.	Glover,	Murphy of Burke,
Baker of Bryan,	Goldsmith,	Murphy of Harris,
Baker of Pike,	Goodman,	Netherland,
Ballanger,	Graham,	Palmer,
Barksdale,	Gray,	Patillo,
Barron,	Griffin of Twiggs,	Paulk,
Beaseley,	Guerry,	Paxton,
Bell,	Guyton,	Payne,
Berrien,	Hall of Upson,	Peeples,
Booth,	Hancock,	Pentecost,
Bowie,	Harvey,	Phillips,
Braddy,	Head,	Pierce,
Brady,	Heidt,	Pou,
Brawner,	Hendley,	Rawls,
Brewton of Tatnall,	Hoge,	Renfroe,
Bryan,	Howell,	Richards,
Bunn,	Hooks,	Riley,
Bush,	Hudson,	Roundtree,
Butts,	Hughs,	Russell,
Carlton,	Hunter,	Rutherford,
Cato,	Jackson,	Scott,
Chancey,	Jenkins,	Sellers,
Chastain,	Johnson of Clay,	Simmons of Gwinnett,
Clark of Richmond,	Johnson of Spalding,	Simmons of Hall,
Clark of Troup,	Jones of Gwinnett,	Slaton,
Cleghorn,	Jones of Hart,	Smith of Oglethorpe,
Clements,	Jones of Terrell,	Sneed,
Cody,	Kennedy,	Spence,
Converse,	Killion,	Stovall,
Cox,	Knoles,	Summers,
Craig,	Lampkin,	Tarver,
Crittenden,	Lang,	Taylor,
Cumming,	Lipsey,	Trammell,
Davenport,	Mann,	Watters,
Davis of Newton,	Martin,	West,
Dell,	Mattox,	Whatley,
Edwards,	McConnell,	Wilson,
Emerson,	McMillan,	Wofford of Banks,
Etheridge,	McNeal,	Wofford of Bartow,
Fain,	McWhorter,	Wood,
Farmer,	Meadows,	Woodward,
Field,	Moreland,	Wynn,
Flynt,	Morris,	Mr. Speaker.



Those voting in the negative are Messrs.—

Allred,	Dukes,	Oliver,
Atkinson,	Floyd,	O'Neal,
Blue,	Griffin of Houston,	Ormond,
Bruton of Decatur,	Hammond,	Putney,
Brown,	Hillyer,	Richardson,
Campbell,	Joiner,	Simmons of Houston,
Clower,	Jones of Macon,	Smith of Coweta,
Colby,	Lewis,	Williams.
Davis of Clarke,		

Yeas, 132. Nays, 24.

So Mr. Jackson's substitute was adopted.

On motion of Mr. Scott, the rules were suspended, and the Speaker allowed to record his vote on the adoption of Mr. Jackson's substitute.

Leave of absence was granted to Mr. Woodall of Talbot, on account of affliction.

Mr. Brady introduced an act to make the purchase, sale, receipt or delivery of agricultural produce between the hours of sunset and sunrise unlawful in certain counties.

Leave of absence was granted Mr. Brady, on account of sickness.

Leave of absence was granted Mr. Pierce, until Monday morning next.

Leave of absence was granted Mr. Wofford of Banks, for a few days.

Mr. Scott introduced a bill to be entitled an act to appoint commissioners to investigate the affairs of this State, etc.

Mr. McMillan moved that the Clerk of the House be authorized and instructed to make a special contract for the printing of two hundred copies of said bill.

Mr. Hoge called the previous question, which was sustained, and the motion of Mr. McMillan prevailed.

On motion, the rules were suspended, and Mr. Jackson's bill on the Atlanta municipal election was read the second time and committed.

On motion of Mr. Hall of Upson the House adjourned until 10 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Saturday, November 4, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Dr. Shaver.

The Journal of yesterday was read and approved.

Mr. W. D. Anderson was allowed to record his vote in the affirmative on the resolution of Mr. Jackson, adopted yesterday.

Mr. John J. Kelly, Representative elect from the county of Chatham, appeared and was sworn in.

Mr. Simmons of Gwinnett, chairman of the committee to investigate the leave of absence granted Mr. Page of Lee, made the following report, which was adopted:

The committee appointed to inquire into the matter of the application for a leave of absence for George F. Page, a member of this House from the county of Lee, after having investigated the circumstances connected therewith, respectfully recommend the adoption of the following resolution, to-wit:

*Resolved*, That the application for a leave of absence for George F. Page, a member of this House from the county of Lee, do not be granted.

On motion of Mr. Jackson, the rules were suspended, and the bill on the Atlanta municipal election read third time, and passed, and ordered to be transmitted to the House forthwith.

The committee on rules made the following report:

*Mr. Speaker :*

The committee appointed to report rules for the government of this House, beg leave to report, and recommend for adoption, the rules of the House of Representatives in session in the year 1870, with the following amendments:

1. Strike out the fourth paragraph under the caption, "Duties of Speaker," and insert in lieu thereof the following:

All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

2. Strike out the eighth paragraph under the caption, "Miscellaneous rules of the House."

3. Insert between the seventeenth and eighteenth paragraphs, under the caption, "Miscellaneous rules of the House," the following:

The Speaker shall appoint the following standing committees:

On Judiciary.

On Finance.

On State of the Republic.

On Internal Improvements.

On Agriculture and Manufactures.

On Privileges and Elections.

On Enrollment.

On Journals.

On Military Affairs.

On Banks.

On Public Expenditures.

On Education.

On Deaf and Dumb Asylum.

On Blind Asylum.

On Lunatic Asylum.

On Penitentiary.

On Auditing.

On New Counties and County Lines.

On Public Printing.

4. Insert under caption of "Miscellaneous Rules of the House," the following:

"No person shall be allowed to enter upon the floor of this House, except the members and officers thereof, the Senate and members thereof, and the heads of the offices of the Executive Department, unless otherwise ordered by this House."

The committee further recommend that the numbers of the paragraphs affected by the above amendments be so altered as to conform to the changes thereby made.

CLAIBORNE SNEAD, *Chairman*.

Mr. Scott moved to strike out the word "Jefferson's," in the rules of 1870, and insert "Cushing's."

The motion was withdrawn, but was renewed by Mr. Hudson and lost.

Mr. Goldsmith moved to separate the Committee on Agriculture and Manufactures, which was lost.

On motion of Mr. Rawls, the report of the committee was adopted as a whole.

The committee on the election in Bibb county made the following report:

*Mr. Speaker:*

The committee to whom was referred the matter of the doubtful election in the county of Bibb, and who were required to make a report of the names of the true members elect of your honorable body from said county, report:

In the light of the laws relating to contested elections, guided by the legal evidence to them submitted by the House, as transmitted to its presiding officer from the

Executive Department, and after a distinct announcement, at the hour of seven o'clock and fifty-five minutes on Friday, the third instant, by each and every of the claimants of seats, that no evidence other than that above, was desired by them to be introduced, and further, after hearing, fully, all of said claimants, each in the interest of his own cause, your committee conclude that Augustus O. Bacon, Charles A. Nutting and John B. Ross were elected, and that the said members elect now are entitled to their seats in the House of Representatives.

Accordingly, your committee recommend the adoption of the following resolution :

*Resolved*, That Augustus O. Bacon, Charles A. Nutting and John B. Ross, are hereby declared to be the members elect of this House from the county of Bibb, and that they now be sworn and seated as such.

GARNETT McMILLAN, *Chairman*.

Mr. Rawls moved to make said report the special order for next Monday.

Mr. Snead called the previous question. The call was sustained, and the motion of Mr. Rawls was lost.

The report of the committee was adopted, and Messrs. Augustus O. Bacon, Charles A. Nutting and John B. Ross, Representatives elect from the county of Bibb, presented themselves and were sworn in.

Mr. Netherland offered the following resolution, which was adopted :

*Resolved*, That the Clerk of this House have three hundred copies of the rules adopted for the government of this House, printed for the use of the members.

Mr. Graham offered the following resolution :

Whereas, It is currently reported that Mr. L. C. Jones, who occupies a seat on this floor as a member

from the county of Macon, is a citizen of the county of Fulton, and resides therein:

*Be it therefore resolved*, That the Committee on Privileges and Elections, so soon as they are appointed, be instructed to inquire into the facts in said case, and report thereon.

Mr. Clower moved that the Messenger be required to procure and furnish each member of this House with a copy of the Journal of the House of Representatives of 1870.

Which motion prevailed.

The following message was received from his Excellency the Governor, through Mr. Atkinson, his Secretary, to-wit:

*Mr. Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing.

Which communication was taken up and read, and is as follows:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 4, 1871

*To the Senate and House of Representatives:*

The unexpected resignation of his Excellency Governor Bullock has devolved upon me, as President of the Senate, the exercise of the functions pertaining to the Executive Department.

In entering upon the discharge of this laborious and responsible task, at this exciting period in our history, I can but express the diffidence which I feel in assuming this weighty responsibility. I enter upon the discharge of these duties, however, with the fixed purpose that I will, during the limited period of my official term, do all in my power to promote peace, harmony



and good will among our people, and to advance the best interests of the State.

While it is well known to you and the people of Georgia, that I have been, and am now, a consistent and unyielding Republican, I shall not, in the discharge of my Executive duties, permit politics to have anything whatever to do with my conduct. While in my present office, I am Governor of the whole people of the State, without regard to party distinctions; and I invite all, without reference to race, color or party alliance, who may have business connected with my department, to approach me freely and make known their wishes at any time, with the assurance that I will do all in my power to promote the interests of each in every matter pertaining to my official duties, to the extent of my ability.

It seems to me that we have had enough of wrangling and strife, and crimination and recrimination. The country needs repose and quiet, which can never be promoted by continually fomenting political strife. We have had experience enough to demonstrate that nothing has been gained to the people of the South by the adoption of a defiant and boisterous course, while the power rests in the Government, backed by a vast majority of the people of the Union. Under these circumstances, it is my sincere wish that every department of the government of this State, and every class of people, may so shape their conduct that there may be no reason for any declaration of martial law, any suspension of the writ of *habeas corpus*, or any further reconstruction. If the people of the South will be law-abiding and law-enforcing, and lay aside all extreme measures, my opinion is that the day is not far distant when the Congress of the United States will proclaim, by act, universal amnesty, thereby restoring every citizen of the South to the full measure of citizenship, with all the rights pertaining to the same. This is a consummation devoutly to be hoped for at the earliest day possible.

## FINANCES.

A very large proportion of the property of the people of this State was destroyed by the late unfortunate war, leaving our people greatly impoverished, and very much discouraged. They have struggled, however, with an energy and zeal that are highly commendable. We see around us on every hand the signs of returning prosperity, which is very gratifying to the heart of every patriot. But the heavy burdens of the Government have a very depressing effect. The taxes are much higher than they were before the war, while the property owned by the people of the State, upon which taxes are to be paid, is infinitely less. Under these circumstances, it is a question well worthy the attention of every department of the Government how we may so administer the affairs of the State as to impose the lightest burdens upon the people, and secure the greatest efficiency in the administration of public affairs. In my opinion, it is the imperative duty of the Legislative and Executive Departments of the Government to do every thing that can be done, consistently with reason and an enlightened policy, to reduce taxation and remove the burdens under which our people now groan. To this end, it is my fixed purpose to curtail all unnecessary expenses in every matter connected with my department; to cut off all supernumeraries—if any be found—from positions, and to administer the affairs of the Executive Department upon principles of the strictest economy, not expending a single dollar unless it is actually necessary to do so. In this matter I trust and believe I shall have the hearty co-operation of the General Assembly, and that you will so shape your legislation as to satisfy the people of the State that the Government is in the hands of those who have regard for their interests, and who are determined to remove from them every burden which is not absolutely necessary to be borne. And in this connection, I beg to state in advance that I can sanction no legislation of any character which looks to wasteful

extravagance, or to an unnecessary expenditure of the people's money. We must economise in such ways as to do justice to the tax-payers, and restore popular confidence in the Government. The public expenditures should not be enlarged, nor the public debt increased, unless upon the most solid and substantial considerations.

On account of the short period since I entered upon my executive duties, I am unable to give to the General Assembly a statement of the public debt, or to inform you of the disposition made of the bonds of the State authorized by the General Assembly to be issued. I will, however, take prompt steps to inquire into the whole matter, and most earnestly urge upon the Legislative Department of the Government to make thorough investigation into this matter, and I will most cheerfully give all the aid of the Executive branch of the Government, so as to have this important subject fully and clearly understood.

#### EXECUTION OF THE LAWS.

It is well known to the General Assembly that violations of the law, growing, in a great measure, no doubt, out of the demoralization which always follows from a war of the magnitude of that through which we have just passed, have been alarmingly frequent in this State, and it is certainly the duty of every public officer, and every good citizen, to do everything in his power to discountenance and check lawlessness and crime of every character. So long as popular sentiment is not decided upon this question, and criminals can feel that they have popular countenance, we can expect but little improvement. It, therefore, becomes the duty of the Executive, Legislative and Judicial Departments of the Government to take a firm and decided stand in favor of law and order, and to punish crime wherever it may be legally shown to exist, no matter whether the perpetrator may be high or low, rich or poor. To this end, the General Assembly

should enact such laws, if there be any defect in our present system, as are necessary to give the courts full power over this subject, and the courts and the juries should take hold of this matter with decision and energy, and teach criminals that the law cannot be violated with impunity; and it will be a source of pride and pleasure to me, while exercising the executive functions of the government, to aid, in every possible manner, in the execution of the laws, both civil and criminal. When a court and jury have investigated a case calmly and dispassionately, and the law has been administered impartially, the case will have to be an extreme one, having some features of mitigation that absolutely call for executive action, before I shall interfere and arrest the execution of the criminal laws. The safety, peace and prosperity of all depend upon the prompt and vigorous execution of the criminal laws in the present deranged condition of our society. In this matter, I shall cheerfully co-operate with the other departments of the government in all measures intended to promote the public good, and to restore confidence and quiet, and I respectfully solicit the aid of all good citizens in every portion of the State, without regard to party affinities, race or color, in support of the government in this important work. Let us, by our conduct, show to the world that we are still capable of self-government, and that there is virtue, intelligence and integrity enough among our people to secure all the ends for which government is instituted and maintained. If we will take this course, we will relieve much of the apprehension which exists at the present day, and will do much to restore confidence among our people, and secure immigration, the influx of capital and the general development of the resources of the State, and will thereby remove all possible pretext for Federal interference of any character in our local affairs.

## POPULAR EDUCATION.

The General Assembly, at its last session, enacted a law providing for public schools in this State, which, in the main, meets my hearty co-operation. The act, as is the case in the inauguration of every new system, probably has some defects which a year's reflection and practice may have suggested to those who are now intrusted with the responsible duty of representing the people. But I trust a system of popular education may meet with general favor, and commend itself to all. It is very important that we give our people the advantages of a liberal education in all cases where we have the means to do so, and that we should place within the reach of every citizen, the means of acquiring the rudiments of a common English education. Our republican institutions rest upon the virtue and intelligence of the people, and it seems to me to be a patriotic duty to encourage the general diffusion of knowledge by every means within our power.

In every country where a wise system of popular education has been adopted, the results have been such as to demonstrate the wisdom of the policy. Take, as an illustration, the kingdom of Prussia, which was overrun and trampled under foot by Napoleon the Great. That then small, second-rate power, after the storm of revolution had swept over Europe, adopted the most liberal and extensive system of popular education of any other power upon that continent. The education of the children of Prussia was made compulsory. Parents were not permitted to bring them up in ignorance. In France, where the arts and sciences have been encouraged and the higher branches of education have been carried to an extent scarcely equalled by any other country, popular education has been greatly neglected, and the result has been that in a little over half a century, the dejected and down-trodden kingdom of Prussia has risen to the magnitude of a first-class power, and has humbled the mighty empire of France at her feet. It is not necessary for me to

consume time by citing other instances. I presume that no intelligent man who has investigated this question, can doubt that in the education of the masses rests the greatest security of our Government in the future, and the greatest power for the development of our vast resources.

I can but commend the wisdom and forethought of the late General Assembly in laying down as one fundamental provision of the system in this State, that the different races shall be separate in the schools. We can have no mixed schools. It is not for the interest of either race that it should be so. While there should be equal justice done in the distribution of the public funds for the education of the children of both races, our schools should be separate, and our colleges should be separate.

#### STATE UNIVERSITY AND AGRICULTURAL COLLEGE.

I cannot too strongly commend to the General Assembly the importance of a liberal endowment to our State University. No one who reads the history of the State, and the provisions on the subject incorporated into the earlier constitutions, can doubt that it was the intention of our fathers to establish and maintain in Georgia a first-class university; and it is a matter of deep regret that the people of Georgia have so long failed to carry out in all its munificence and magnitude this grand scheme of those wise and great men who laid the foundations of our government. Under our present system, it becomes a matter of necessity that we develop to the highest extent the minds of our sons and daughters. We have vast physical resources, probably unsurpassed by any State in the Union, but they can never be fully developed until we have first developed the mental resources of the people. We must educate our sons for every department in life. It is not enough that we have, as in the past, a respectable college where Latin and Greek and the other studies connected with the old college curriculum are

taught. Under our present system, we need not only educated lawyers, doctors and divines, but we need educated farmers, mechanics and chemists, and educated men in every department of life, and we need an institution in our own State, where the young men of Georgia can be prepared for these various departments. In other words, we need a university where those who are studying for the law or for the ministry, may be taught Latin and Greek, and all the branches necessary to accomplish them in the pursuit which they have chosen. But, connected with this, we need a school of medicine, where a young man desiring, after he has graduated in college, to make the practice of medicine his avocation, can completely prepare himself for that field of usefulness. This might be done by connecting with the university one or more of our present medical colleges. We already have a law school connected with the university. We need also a department where civil engineering can be taught to greater advantage, than we are now able to teach it. We need a department where applied chemistry and applied mathematics can be taught as fully as in any other institution, so that a young man who desires to make himself a practical chemist, can get his education at home; or, if he desires to make himself a master mechanic he can be educated for that department; (or, if he desires to become an architect he can be accomplished for that department,) and so with every useful branch of knowledge. In this way, the State of Georgia would be able to educate all her sons at home, and to draw within her bosom, to receive a liberal education, hundreds and even thousands of the youth of other Southern States. The endowment for this purpose should be a liberal one, which might well be made by issuing bonds of the State, having fifty or an hundred years to run, payable to the university, the interest only to be paid annually, and the amount should be large enough to endow every professorship necessary to make the university such an one as Georgia might well be proud of.

In connection with this, a system should be established by the erection of mess-halls or otherwise, which would afford board to the students at the university at the lowest possible rate, and in all the practical departments of the university not taught in the other colleges of the State, tuition should be made free so as to enable the sons of the poorest men in the State, who have intellect and capacity, to enjoy all the advantages necessary to fit them for a high degree of usefulness. Under our old system, the advantages of a collegiate and even a liberal education were confined almost exclusively to the sons of the wealthy. Many of the sons of the poorer class are every way their equal in point of intellect and moral worth, and there is no just reason why they should be excluded from these important advantages. It therefore becomes the duty of the State to see to it that those who are bright, intelligent, promising boys, who would make men of future usefulness, have the advantages of a liberal education at the public expense. Their course in after life would soon demonstrate that the money was well expended, and it would be paid back to the State in the development of her resources and the advancement of her interests, with a hundred fold added.

In my judgment, there is no possible way in which half a million, or even a million, of dollars could be invested which would redound so much to the future glory, grandeur and greatness of our noble old State. I especially commend this matter to the earnest and serious consideration of this General Assembly.

In recommending the endowment of the State University, I intend nothing unfriendly to the denominational colleges. They have done much to elevate the standard of education in Georgia, and have been and still are institutions of which not only the denominations to which they belong, but the whole people of the State, may be justly proud. I would say, therefore, to our people, patronize them much more liberally than heretofore. Let them go forward in their career



of usefulness. But when they have turned out a young man as a graduate who desires to enter upon any profession or calling, for which his education there has not fully fitted him, let the university of our own State be open to him, that he may go there and complete his education. In this manner, the whole system may be harmonized, and all of our colleges work together with a good understanding, each aiding the other in its noble work.

If the Legislature should think proper to endow the the university liberally in the manner proposed, it would then, in my judgment, be good policy to turn over to the State Agricultural Society the Land Scrip which has been generously donated by the Congress of the United States and to permit said society, as the trustee of the State, to endow an Agricultural College at Milledgeville, with a branch at Dahlonga, where all that pertains to a practical agricultural education may be obtained by the youth of our State. In this manner all conflict upon this question will be reconciled, and all conflicting interests served in a manner that would tend to the future growth and prosperity of the State.

Before dismissing this subject, I would further remark that justice demands an endowment of the Atlanta University for the colored population of our State, which will be sufficient to provide for all their wants at their present stage of advancement. By making reasonable provision for them and building up their college in this State, we forever settle the vexed question which would become a very troublesome one if they should seek admittance into the University of the State, and carry out the good understanding which has already been inaugurated between the two races, that not only their schools but their colleges are to be kept perpetually separate and distinct from each other.

#### THE STATE DEBT.

The reports of the Comptroller General and Treasurer

will be laid before you at an early day. On account of the pressure of other duties to which I have been subject since I entered upon the discharge of the Executive functions, I have had no time to examine them carefully and prepare any comments upon them. They will, however, doubtless give you a correct statement of the present indebtedness of the State.

While I regret that our liabilities have been increased to the amount already reached, and would advise great caution upon this subject in the future, I cannot too strongly impress upon you the convictions of my own mind as to the importance of maintaining the public faith inviolate. No State in the Union has maintained a higher or more unsullied character for integrity and the faithful performance of her obligations, in connection with all financial matters, than our own beloved Georgia; and whatever may be the burdens to which we are now subject, and whether wisely or unwisely incurred, we should meet them with that spirit of integrity and honor which has always characterized the people of Georgia, and their representatives who have been our predecessors, and which will, I trust, always continue to be a subject of just pride. Whatever may be our misfortunes, or our depressed condition, let it never be said that the State of Georgia has violated her plighted faith, or failed to regard as sacred and meet promptly all her legal and moral obligations.

In concluding this communication, I desire again to urge upon you the importance of moderation, wise caution and harmony in all our official action, and sincerely invoke the blessings of Almighty God upon our beloved State.

BENJAMIN CONLEY, *Governor*

On motion of Mr. Phillips, the several subjects mentioned in the foregoing communication from his Excellency the Governor, were referred to the appropriate committees of this House.

On motion of Mr. Rawls, the Clerk proceeded to call the roll of counties, and the following bills were read the first time:

By Mr. Peeples of Berrien—

A bill to provide for the election of a Governor.

Also, a bill to repeal an act passed by the General Assembly of 1870.

By Mr. Russell of Chatham—

A bill to explain and alter sections 244 and 4841 of the Revised Code of Georgia.

Also, a bill to alter and amend section 3644 of Irwin's Code, relating to fees of Clerk of the Superior Court, so far as relates to the county of Chatham.

By Mr. Pentecost of Carroll—

A bill to change the line between the counties of Carroll and Douglas, and to add a portion of the county of Douglas to the county of Carroll, and for other purposes therein named.

By Mr. Payne of Catoosa—

A bill to fix the compensation of the members of the General Assembly

Also, a bill to require defendants in actions for the recovery of real estate to file an abstract of the title on which they rely

By Mr. Lamkin of Columbia—

A bill to be entitled an act to restore the jurisdiction of Notaries Public and Justices of the Peace in the Twenty-Ninth Senatorial District, as it existed before the law creating a District Court in said district.

By Mr. Richards of Cherokee—

A bill to be entitled an act to fix the per diem pay of the members of the General Assembly.

By Mr. Stovall of Columbia—

A bill to be entitled an act to change the time of holding the Superior Courts in the counties of Columbia and McDuffie, State of Georgia.

By Mr. Goldsmith of DeKalb—

A bill to be entitled an act to alter and amend section 178 of Irwin's Revised Code.

Also, a bill to be entitled an act to incorporate the Van Wert Slate Mining Company, and for other purposes.

Also, a bill to be entitled an act to alter and amend section 2023 of Irwin's Revised Code.

Also, a bill to be entitled an act to compensate grand and traverse jurors of the Superior Court of DeKalb county, and to authorize the Tax Collectors to receive jury certificates for county taxes, and to pay Constables who serve during the sessions of DeKalb Superior Courts.

Also, a bill to incorporate the Excelsior Slate Mining Company of the county of Polk.

Also, a bill to repeal an act entitled an act to extend the lien of set-off and recoupment, etc.

By Mr. Woodward of Dooly—

A bill to repeal an act entitled an act to organize the District Court, etc.

By Mr. Rawls of Effingham—

A bill to create the office of County Commissioners, and prescribe their duties.

Also, a bill to alter and amend the road laws of this State.

By Mr. Franklin of Fannin—

A bill to authorize the voters of Fannin county to elect an Ordinary.

By Mr. Scott of Floyd—

A bill to amend charter of the Memphis Branch Railroad Company.

Also, a bill to amend an act entitled an act to authorize the Mayor and Council of the city of Rome to subscribe not exceeding one hundred thousand dollars of stock in the Memphis Branch Railroad Company

Also, a bill to create a Board of Commissioners in the county of Floyd.

Also, a bill to order a special election for a Governor of this State.

Also, a bill to incorporate the Rome & Raleigh Railway Company.

By Mr. Jackson of Fulton—

A bill to exempt firemen from jury duty.

Also, a bill to amend section 3687 of the Revised Code of Georgia.

By Mr. Hoge of Fulton—

A bill to amend an act to authorize the Mayor and Council of the city of Atlanta to provide for the introduction of water-works in said city.

Also, a bill to authorize the payment of ten per cent. interest on one hundred bonds of one thousand dollars each, by the Scofield Rolling Mill Company, and make legal and binding the contract for the payment thereof.

By Mr. Braddy of Glascock—

A bill to repeal an act entitled an act to change the county of Glascock from the Northern to the Middle Judicial Circuit.

By Mr. Simmons of Gwinnett—

A bill to repeal an act entitled an act to extend the lien of set-off and recoupment. Approved October 13, 1870.

Also, a bill to authorize the Tax Collector of Gwinnett county, Georgia, to pay over to the Ordinary of said county, the State tax collected by him for the year 1871.

Also, a bill to alter the road laws of this State, so far as applicable to the county of Gwinnett, and to amend sections 649 and 699 of Irwin's Code of Georgia.

Also, a bill to be entitled an act to protect all persons in this State in their civil rights, and to furnish the means of their vindication.

On motion, two hundred copies of this bill were ordered to be printed.

By Mr. Head of Haralson—

A bill to repeal an act entitled an act to repeal an act to organize a criminal court for each county in this State, assented to 7th of October, 1868, and the several acts amendatory thereof.

Also, a bill to repeal an act entitled an act to organ-

ize the District Court, and to define its jurisdiction, and for other purposes.

Also, a bill to repeal an act entitled an act to declare the poll tax of this State for the years 1868, 1869 and 1870, yet uncollected, illegal, and to prevent the collection of the same.

By Mr. Murphy of Harris—

A bill to repeal an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes. Approved October 28, 1870.

By Mr. Beasely of Jefferson—

A bill to be entitled an act to lay out and form a new county, by the division of the county of Jefferson, and to organize the same.

Leave of absence was granted Messrs. McWhorter and Moreland, on account of sickness in their families.

Mr. Scott offered the following resolution, which was adopted:

*Resolved*, That until further ordered, this House will meet at 10 A. M., and adjourn at 1 o'clock P. M., and that after to-day it will hold evening sessions, from 3 to 5 o'clock P. M.

The hour of 1 o'clock P. M. having arrived, the House, under the resolution, adjourned until 10 o'clock A. M., on Monday next.

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ATLANTA, GEORGIA,  
Monday, November 6, 1871.

The House was called to order by the Speaker at 10 o'clock A. M., and was opened with prayer by Rev W. H. Strickland.

On motion, the call of the roll was dispensed with. The Journal of Saturday was read and approved.

Mr. W. H. F. Hall, Representative elect from the county of Meriwether, appeared and was sworn in.

The Speaker announced that he had appointed the Rev. W. H. Strickland, Chaplain of this House.

Mr. Russell moved to suspend the rules for the purpose of reading the second time the bill to provide for the election of a Governor, which was lost.

The Speaker announced the following standing committees of this House:

*Judiciary Committee*—Messrs. Hoge of Fulton, William D. Anderson of Cobb, Phillips of Echols, Graham of Dade, Bacon of Bibb, Snead of Richmond, Simmons of Gwinnett, Murphy of Harris, Pou of Muscogee, Scott of Floyd, Edwards of Elbert, Peeples of Berrien, Dell of Screven, Hunter of Brooks.

*Finance Committee*—Messrs. Rawles of Effingham, Cumming of Richmond, Crittenden of Randolph, Netherland of Rabun, Barksdale of Warren, Howell of Milton, Jackson of Fulton, Nutting of Bibb, Cato of Troup, Gray of Bartow, Butts of Hancock, Ormond of Houston, Hunter of Brooks.

*Committee on State of the Republic*—Messrs. J. W. Wofford of Bartow, Clark of Troup, Jones of Terrell, Hall of Upson, Goldsmith of DeKalb, Bush of Miller, Hoge of Fulton, Goodman of Campbell, Wofford of Banks, Lang of Lincoln, Johnson of Jefferson, Guyton of Laurens, McWhorter of Greene.

*Committee on Military Affairs*—Messrs. Baker of Pike, Watters of Jasper, Chancey of Early, Paxton of Charlton, Mattox of Clinch, Carlton of Colquitt, Sargent of Coweta, Reid of Union, Renfro of Washington, Bell of Webster, Jenkins of Worth.

*Committee on Banks*—Messrs. Cumming of Richmond, Scott of Floyd, Harvey of Marion, Bowie of Walton, Wynn, of Wilkes, Morris of Talbot, West of White, Trammell of Paulding, Griffin of Twiggs, Beaseley of Jefferson, Clark of Richmond, Booth of Pulaski, Paulk of Irwin.

*Committee on Privileges and Elections*—Messrs. Phillips of Echols, Pierce of Hancock, Russell of Chatham, Rutherford of Crawford, Sellers of Appling, Allred of Pickens, Floyd of Morgan, Williams of Decatur, Smith of Oglethorpe, Flynt of Taliaferro, Slaton of Wilkes, Head of Haralson, Colby of Greene.

*Committee on Internal Improvements*—Messrs. Hall of Upson, Woodall of Talbot, Wood of Walker, Summers of Newton, Heidt of Chatham, Richards of Cherokee, Woodward of Dooly, Roundtree of Emanuel, Barron of Jones, Pentecost of Carroll, Riley of Lumpkin, Hudson of Schley, Jones of Hart.

*Committee on Agriculture and Manufactures*.—Messrs. Davis of Newton, Bunn of Polk, W P Anderson of Cobb, Bryan of Henry, Jones of Gwinnett, Cox of Burke, Davenport of Oglethorpe, Johnson of Clay, Murphy of Burke, Brady of Sumter, Braddy of Glascock, Hendley of Pulaski, Putney of Dougherty.

*Committee on Public Expenditures*—Messrs. C. A. Nutting of Bibb, Kelly of Chatham, Hammond of Butts, Tarver of Baker, McMillan of Habersham, McNeal of Randolph, Pou of Muscogee, Griffin of Houston, Snead of Richmond, Wilson of Fulton, Ballanger of Floyd, Ross of Bibb, Mansfield of Stewart.

*Committee on Education*—Messrs. Jackson of Fulton, Bacon of Bibb, Wofford of Bartow, Cody of Chattahoochee, Davis of Newton, Simmons of Gwinnett, Joiner of Dougherty, Etheridge of Putnam, McNeal of Randolph, Bryan of Henry, Morrison of Ware, Guerrey of Quitman, Berrien of Burke.

*Committee on Enrollment*—Messrs. McMillan of Habersham, Converse of Lowndes, Craig of Telfair, Dell of Screven, Cleghorn of Chattooga, Baker of Bryan, Bateman of Taylor, Spence of Coffee, Stqvall of Columbia, Hillyer of Camden, Palmer of Dawson.

*Committee on Journals*—Messrs. Bush of Miller, Kilian of Towns, Cloud of Warren, Emerson of Whitfield, Kennedy of Bulloch, McConnell of Clayton, Payne of



Catoosa, Knowles of Pierce, Moreland of Meriwether, Glover of Sumter, Field of Murray

*Committee on Penitentiary*—Messrs. Goldsmith of DeKalb, Baker of Pike, Morris of Talbot, Harvey of Marion, Rutherford of Crawford, Dukes of Morgan, Davenport of Oglethorpe, Jones of Hart, Brown of Monroe.

*Committee on Lunatic Asylum*—Messrs. Etheridge of Putnam, Hughes of Forsyth, Johnson of Jefferson, Lipsey of Lee, Battle of Thomas, Jones of Terrell, McNeal of Randolph, O'Neal of Baldwin, Cloud of Warren, Clements of Montgomery, Whatley of Fayette, Lamkin of Columbia, Chastain of Gilmer.

*Committee on Deaf and Dumb Asylum*—Messrs. Bunn of Polk, Simmons of Hall, Lipsey of Lee, Gray of Bartow, Brawner of Franklin, Farmer of Liberty, Brewton of Tatnall, Mann of Wilcox, Martin of Johnson, Meadows of Madison, Howell of Milton, Wilson of Fulton, Ballanger of Floyd.

*Committee on Blind Asylum*—Messrs. Patillo of Harris, Collins of Mitchell, Taylor of Washington, Emerson of Whitfield, Jones of Macon, Pierce of Hancock, Hancock of Jackson, Hooks of Wilkinson, Richards of Cherokee, Goodman of Campbell, Franklin of Fannin.

*Committee on New Counties and County Lines*—Messrs. Fain of Gordon, Guyton of Laurens, Clark of Troup, Jones of Gwinnett, Hendley of Pulaski, Converse of Lowndes, Meadows of Madison, Woodall of Talbot, Clower of Monroe, Braddy of Glascock, Patillo of Harris.

*Committee on Public Printing*—Messrs. William D. Anderson of Cobb, Heidt of Chatham, Carlton of Colquitt, Cato of Troup, Chastain of Gilmer, Netherland of Rabun, Richardson of Clark, Johnson of Spalding, McWhorter of Greene.

*Committee on Auditing*—Messrs. Craig of Tellico, Riley of Lumpkin, Roundtree of Emanuel, Franklin of Fannin, Atkinson of Thomas.

The Rules of the House of Representatives for the session of 1871, as adopted, are as follows:

#### DUTIES OF THE SPEAKER.

1st. The Speaker shall, in his discretion, suspend irrelevant debate, and command silence, whenever he may deem it needful.

2d. In all cases of election by the House the Speaker shall vote. In other cases he shall not vote, unless the House shall be equally divided, or unless his vote, if given to the minority, will make the division equal, and in such case of equal division, the question shall be lost.

3d. When two or more members shall rise at the same time, the Speaker shall name the person entitled to proceed.

4th. All committees shall be appointed by the Speaker, unless otherwise ordered by House.

5th. The method of stating a question, or any motion by the Speaker, after the same has been read by the Clerk, shall be as follows: "All you who are in favor of the motion will say aye; all you who are against it say no." And when a decision may seem doubtful to the Speaker, or a division is demanded by any member of the House, the Speaker shall call upon the members in favor of the motion to rise, and after a count is had by the Clerk, he shall call upon the members to reverse their positions, and the Speaker shall announce the result.

#### ON DECORUM AND DEBATE.

1st. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to "Mr. Speaker." He shall be confined to the matter in debate, shall not speak more than twice on any subject, or more than once until every member choosing to speak shall have spoken. If any member, in speaking, or otherwise, transgress the rules of the House,

the Speaker shall, or may call to order: in which case the member so called to order shall immediately sit down, unless permitted to explain; the House shall, if appealed to, decide, and if the decision of the House be not submitted to, the delinquent, for the first offense, shall be reprov'd; for the second, fined in a sum not exceeding ten dollars; and continuing refractory, may be expelled from the House.

2d. The members of the House shall forbear from private conversation, and preserve silence until a speaking member shall have taken his seat, nor shall the language be perverted by which his thoughts are communicated.

3d. The members shall avoid naming each other when they may have occasion to take notice of their observations, but may designate them by the place in which they may be, or the county they represent.

4th. No member shall be permitted to vote on any claim he may prefer against the State.

5th. No member shall pass between the Chair and a member while he is speaking, nor shall any, at the time of adjournment, leave his seat until the Speaker retires.

6th. In all elections, except for committees, a majority of the members present shall be necessary to a choice.

7th. Any member may call for a division of the question on a subject in which the sense thereof will admit of it.

8th. The previous question, viz: "Shall the main question be now put?" shall only be admitted when demanded by a majority of the members present, and on the previous question there shall be no debate.

9th. The motion for the previous question shall take precedence of all other motions, except a motion to postpone indefinitely, or to lay on the table; and when it is moved, the first question shall be: "Shall the motion for the previous question be sustained?" If de-

cided in the affirmative, the House shall then proceed to act on the main question.

10th. When a subject is before the House for consideration, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend, which several motions shall have precedence in the order they stand here arranged. No motion for adjournment shall be debatable; and the motion for adjournment the second time shall be out of order, until the question before the House is first disposed of.

11th. No member shall smoke in the House, nor shall he converse with any one over the bar thereof.

12th. All motions, except for commitment, adjournment, or the previous question, shall be in writing; and the yeas and nays, on any question, shall, at the desire of one-fifth of the members present, be entered on the journal.

13th. When a message shall be sent to the House of Representatives, it shall be announced at the door of the House by the Door-Keeper, and be respectfully communicated to the Chair by the person by whom it may be sent.

14th. It shall be the order of the day, on every Wednesday, to take up and decide on reports of Committees on Petitions, and that all petitions be numbered as they are received, and taken up and disposed of in the order they were received, unless otherwise ordered by a majority of the House.

15th. Any motion containing new matter shall lie at least one day on the table; nor shall any bill, ordinance, resolution or other matter, in any shape, be brought before the House a second time, during the same session, after a determination has been had thereof, except by a vote of two-thirds of the members present.

16th. When the Journal of the preceding day shall be read, it shall be in the power of any member to move for a reconsideration of any matter therein con-

tained, except such matter has been reconsidered: *Provided*, Such member, at the time of reading such matter, shall notify the House of his intention to move such reconsideration; but in cases where the life of an individual is concerned, or when he is in prison for life, there may be two reconsiderations.

17th. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn at any time before the decision or amendment, on consent of the House.

18th. Any member may enter a protest against any proceeding of the House on passing any act.

#### ON BILLS.

1st. It shall be in order to introduce bills, or other matter, upon the call of the counties, without any previous notice having been given for that purpose, and the giving of notice for the appointment of committees to prepare and report bills shall be dispensed with.

2d. There shall be no debate admitted upon any bill at the first reading, and on the second reading thereof, the question shall be: "Shall this bill be admitted or engrossed for a third reading?" In case of engrossment, the entry thereof shall be made by the Clerk, and the bill shall not be amendable thereafter. In case of commitment, it shall be to a Committee of the Whole House, unless the House shall otherwise direct. In no case shall a bill be committed until after a second reading, but the same may be withdrawn at any stage thereof by consent of the House.

3d. No bill shall be transmitted to the Senate on the day of the passage thereof, unless two-thirds of the members present shall so order.

4th. The House shall entertain no bill, or amendment to a bill, proposing to grant corporate powers and privileges to private companies, except to banking, insurance, railroad, canal, plank road, navigation, mining, express, lumber, telegraph and manufacturing companies, nor to make or change election precincts,

nor to establish bridges and ferries, nor to change names or legitimatize children, nor grant divorces.

5th. No bill shall be entertained by the House which contains more than one subject-matter, or contains matter different from what is expressed in the title thereof.

#### MISCELLANEOUS RULES OF THE HOUSE.

1st. On all questions, whether in committee or in the House, the last amendment, the most distant day and the largest sum shall be put first.

2d. All proceedings touching the appropriation of money shall be first considered in Committee of the Whole House.

3d. When a message from the Senate, or from the Executive, is announced at the door of the House, by the Door-Keeper or Messenger, all business shall be suspended until the same is respectfully communicated to the Chair by the person bringing it.

4th. A simple majority may call up a paper ordered to lie on the table for consideration.

5th. Applause or hisses in the Representative Chamber, or in the galleries or lobby, during any speech or legislative proceedings, shall be promptly suppressed.

6th. During the reading of the yeas and nays on any question, no debate shall be had.

7th. Any member presenting a petition, memorial or remonstrance shall, as concisely as practicable, intimate the name and object of the petitioner, memorialist or remonstrant, which shall be noticed on the Journal, and the paper may then be referred without reading.

8th. The Speaker may, during a day's sitting, name any member to perform the duties of the Chair during any part of that sitting, but no longer.

9th. No member shall vote upon any question in the event of which he is immediately and particularly interested, or in any case where he was not present when the question was put, unless by permission of the House.

10th. Upon the call of the members, ordinary or extraordinary, the names of the absentees shall be noted, to be dealt with as the House may direct; and the absence of members beyond the leave obtained, shall be particularly noted.

11th. The several standing committees of the House shall have leave to report by bill or otherwise.

12th. The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities, and shall be deemed to continue in office until another be appointed.

13th. The Clerk shall take especial care of the books provided for the use of the House.

14th. The Joint Committee of Enrollment shall carefully compare enrolled bills and resolutions, and correcting any errors that may be discovered in the enrolled bills, or other papers, make their reports forthwith to the respective Houses.

15th. The Clerk shall, on Mondays, Wednesdays and Fridays, call the counties for the introduction of new matter, beginning alternately at the first and last of the alphabet.

16th. The rules of this House shall in no case be suspended, nor shall the order of business be changed, except by a vote of three-fourths of the members present.

17th. The Speaker shall appoint the following standing committees:

Committee on Judiciary

Committee on Finance.

Committee on State of the Republic.

Committee on Internal Improvements.

Committee on Agriculture and Manufactures.

Committee on Privileges and Elections.

Committee on Enrollment.

Committee on Journals.

Committee on Military Affairs.

Committee on Banks.

Committee on Public Expenditures.

Committee on Education.  
Committee on Deaf and Dumb Asylum.  
Committee on Blind Asylum.  
Committee on Lunatic Asylum.  
Committee on Penitentiary.  
Committee on Auditing.  
Committee on New Counties and County Lines.  
Committee on Public Printing.

18th. After the announcement of the standing committees, no new members shall be added thereto by the House, unless it be at the request of a majority of the committee to be added thereto.

19th. When any question arises which is not provided for in the foregoing rules, Jefferson's Manual shall control the action of the House.

20th. No person shall be allowed to enter upon the floor of this House, except the members and officers thereof, the Senate and officers thereof, and the heads of the offices of the Executive Department, unless otherwise ordered by this House.

THE ORDER OF BUSINESS SHALL BE AS FOLLOWS :

1st. The unfinished business in which the House was engaged at the adjournment of a preceding day, shall have the preference in the orders of the day, after the call of the counties, unless otherwise ordered.

2d. Orders of the day.

3d. Bills for a third reading.

4th. Bills for a second reading.

5th. Resolutions.

6th. Bills of the Senate for the first, second and third readings.

The call of the counties was resumed, and the following bills were read the first time :

By Mr. Lipsey of Lee—

A bill to be entitled an act to confer certain privileges on John T. Whitsett, of Lee county.

Also, a bill to be entitled an act to change the line between the counties of Lee and Terrell.



By Mr. Farmer of Liberty—

A bill to change the line between the counties of McIntosh and Liberty.

By Mr. Lang of Lincoln—

A bill to compensate physicians for medical services rendered to paupers in this State.

Also, a bill to be entitled an act to repeal an act to organize the District Court and to define its jurisdiction, etc., so far as relates to the Twenty-Ninth Senatorial District.

By Mr. Hall of Meriwether—

A bill to authorize William C. Jones, of Meriwether county, to peddle without license.

By Mr. Bush of Miller—

A bill to be entitled an act to repeal an act entitled an act to organize the District Court and define its jurisdiction, etc. Approved October 28, 1870.

By Mr. Howell of Milton—

A bill to reduce the per diem of the members of this General Assembly

Also, a bill to make a second conviction of playing and betting punishable by imprisonment in the Penitentiary

By Mr. Pou of Muscogee—

A bill to authorize a counter-showing to a motion for a continuance in the courts of this State.

Also, a bill to alter and amend section 2267 of Irwin's Revised Code.

Also, a bill to alter and amend section 3472 of Irwin's Revised Code.

Also, a bill to repeal an act entitled an act to alter and amend section 4245 of Irwin's Revised Code, by striking out of said section the words, "to work in a chain-gang on the public works," and for other purposes. Approved October 27, 1870.

Also, a bill to make penal the breach of contract for labor and service, by the parties thereto, and for other purposes.

By Mr. Baker of Pike—

A bill to authorize the County Commissioners of Pike county to audit claims of officers for extra services, and for other purposes.

By Mr. McNeal of Randolph—

A bill to authorize the Mayor and Council of the city of Cuthbert to issue bonds for educational purposes, and to assess and collect taxes to pay the same.

By Mr. Netherland of Rabun—

A bill to repeal section fourteen of an act entitled an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution, so far as the same is applicable to, or affects the counties of Rabun, Habersham, Towns and Union.

Also, a bill to repeal an act entitled an act to amend and secure the proceeds, profits or rents arising from homesteads in this State, etc.

By Mr. Crittenden of Randolph—

A bill to increase the pay of jurors for the county of Randolph.

Also, a bill to repeal an act entitled an act to establish District Courts, etc.

By Mr. Cumming of Richmond—

A bill to be entitled an act to limit the lien of judgments of Justice's Courts.

By Mr. Dell of Screven—

A bill to be entitled an act to repeal the twenty-second section of an act for raising a revenue for the political year 1869, etc.

Also, a bill to repeal so much of an act entitled an act to organize the District Court, etc., as is applicable to the Seventeenth Senatorial District.

By Mr. Craig of Telfair—

A bill to bring on an election for Governor of Georgia, to fill the unexpired term caused by the resignation of Governor Bullock.

Also, a bill to prohibit and make penal the sale of any farm products by tenant or laborer, or purchase, etc. in the counties of Telfair and Dodge.

By Mr. Cato of Troup—

A bill to incorporate the LaGrange Banking & Trust Company.

By Mr. Hall of Upson—

A bill to repeal section 121 of Irwin's Revised Code.

Also, a bill to be entitled an act to change the line between the counties of Upson and Pike.

By Mr. Wood of Walker—

A bill to repeal an act entitled an act to fix the salaries of the Judges of the Supreme and Superior Courts.

Also, a bill to repeal section 121 of the Code of this State.

Also, a bill to prescribe the mode of repealing the Code, or any part of the Code of this State.

By Mr. Bowie of Walton—

A bill to alter and amend section 178 of the Code of Georgia, to reduce the per diem pay of the officers and members of the General Assembly.

By Mr. Taylor of Washington—

A bill to amend section 2261 of Irwin's Code.

By Mr. Mann of Wilcox—

A bill to provide for the election of an Ordinary for the county of Wilcox.

Also, a bill to legalize the action of the Clerk of the Superior Court of Wilcox county, as Ordinary of said county, and to authorize said Clerk to levy a tax, etc.

By Mr. Hooks of Wilkinson—

A bill to repeal the District Court bill, so far as relates to the Twenty-First district.

By Mr. Mann of Wilcox—

A bill to provide for the opening and clearing out of Cedar Creek, etc.

By Mr. Bacon of Bibb—

A bill to abolish the City Court of the city of Macon, and to repeal an act entitled an act to organize the City Court of the city of Macon, etc.

By Mr. Hillyer of Camden—

A bill to change the boundaries of Wayne, Glynn and Camden counties.

By Mr. Bunn of Polk—

A bill to compensate grand and traverse jurors of the county of Polk.

By Mr. Paxton of Charlton—

A bill to repeal an act consolidating the offices of Tax Receiver and Collector for Charlton county

Also, a bill to fix the time of holding the Superior Court for Charlton county.

By Mr. Russell of Chatham—

A bill to amend paragraph 632 of Irwin's Code, and also to allow the Coroner certain fees, etc.

Also, a bill to punish any person or persons, who shall assume to perform the duties of Constable in the city of Savannah, unless he or they have been elected, etc.

By Mr. Richards of Cherokee—

A bill to authorize the revision of the jury box in the county of Cherokee.

By Mr. Mattox of Clinch—

A bill to repeal so much of an act entitled an act to create and organize two new Judicial Circuits, etc., as relates to the creation and organization of the Allapaha Circuit, etc.

By Mr. Sargent of Coweta—

A bill to authorize agents and attorneys at law, of defendants to make oath to pleas, etc.

By Mr. Goldsmith of DeKalb—

A bill to change the line between the counties of DeKalb and Gwinnett.

By Mr. Woodward of Dooly—

A bill to prohibit and make penal the sale of any farm products, etc., in the county of Dooly.

By Mr. Phillips of Echols—

A bill to repeal an act organizing District Courts in this State.

Also, a bill to repeal an act entitled an act to create the Allapaha Judicial Circuit.

By Mr. Rawls of Effingham—

A bill to change the time of meeting of the General Assembly.

By Mr. Scott of Floyd—

A bill to legalize the revision of the jury boxes, etc.

Also, a bill to change the charter of the University of Georgia, so as to add four additional trustees to the board, etc.

By Mr. McMillan of Habersham—

A bill to regulate the return and trial of causes at law and in equity in the Superior Courts, and for other purposes.

Also, a bill to provide for certain sales with right of redemption by the vendor, and to fix a penalty for illegal acts done in connection with and pursuance of said sales, and for other purposes.

By Mr. Simmons of Hall—

A bill to prohibit the granting of license to retail spirituous liquors within the corporate limits of the city of Gainesville.

By Mr. Converse of Lowndes—

A bill for the relief of M. J. Griffin.

By Mr. Jackson of Fulton—

A memorial to Congress in relation to canals.

Referred to Committee on Internal Improvements, and 200 copies ordered printed.

By Mr. Riley of Lumpkin—

Memorial of the trustees of the North Georgia Agricultural College.

Referred to Committee on Agriculture and Manufactures.

The following resolutions were introduced:

By Mr. Clark of Richmond—

A resolution instructing the Committee on Agriculture and Manufactures to report amendments to the law on the sale of fertilizers.

By Mr. Snead of Richmond—

A resolution that the Speaker appoint additional standing committees, as follows: On Petitions and Memorials, Public Buildings and Public Property, State Library, and Western & Atlantic Railroad.

By Mr. Hall of Upson—

A resolution in reference to State Printing.

By Mr. Killian of Towns—

A resolution that 300 copies of the Governor's message be printed for the use of this House.

By Mr. Hoge of Fulton—

A joint resolution in relation to refunding the tax on raw cotton, collected during the years 1865, 1866 and 1867, under the revenue laws of the United States.

By Mr. Bacon of Bibb—

A resolution that the State Librarian furnish copies of the Revised Code to members of the Judiciary Committee.

By Mr. Peeples of Berrien—

A resolution that the Speaker appoint a special committee to report a bill on equalizing the Judicial Circuits of this State.

The following resolutions were offered, read and agreed to:

By Mr. Bush of Miller—

A resolution that the Committee on Privileges and Elections examine into the credentials of W. G. Pierce, and report to this body who is entitled to represent therein the county of Calhoun.

By Mr. Oliver of Macon—

A resolution that the Committee on Privileges and Elections inquire into and report on the right of Mr. Henry Tarver to a seat on this floor as representative from the county of Baker.

By Mr. Goldsmith of DeKalb—

A resolution to the same effect in reference to the seat of Hon. A. Colby, of the county of Greene.

By Mr. Griffin of Houston—

A resolution to the same effect in reference to the seat of Hon. S. Glover, of the county of Sumter.

By Mr. Rawls of Effingham—

*Resolved*, That all resolutions referring to the seats

of members, shall be referred to the Committee on Privileges and Elections.

Also, a resolution tendering Hon. George Stapleton a seat on this floor.

Also, a resolution to inquire into the right of Hon. George W. Rumph to a seat on this floor as representative from the county of Wayne.

By Mr. Cumming of Richmond—

*Resolved*, That the joint resolution passed by the last General Assembly, and approved May 5, 1870, which authorized and required “the State Treasurer N. L. Angier,” to pay all warrants for printing, and any other warrants regularly issued by the Executive, and countersigned by the Comptroller General, be, and is hereby, repealed and rescinded.

2. *Resolved*, That the twentieth section of the appropriation act of the last General Assembly, approved October 25, 1870, to-wit: “That when the performance of any service or labor for the State is authorized and directed by law to be performed or rendered, the compensation for which is to be fixed or approved by the Governor, he shall draw his warrant on the treasury for the amount so fixed or approved, and the same shall be paid out of any money in the treasury not otherwise appropriated,” be, and the same is hereby, suspended until final action on the matter by the General Assembly

Ordered to be transmitted to the Senate.

By Mr. Griffin of Houston—

A resolution requesting his Excellency the Governor to transmit to this House all papers in the Executive Department, relating to the Sumter county contested election.

Mr. Cumming moved to insert in lieu of the words, “his Excellency the Governor,” the words, “the Honorable Benjamin Conley, exercising the Executive powers of the government of this State.”

Mr. Gray moved as a substitute for Mr. Cumming’s amendment, to insert in lieu of the words, “his Excel-

lency the Governor," the words, "the Hon. Benjamin Conley, acting Governor," which was lost.

Mr. Cumming's amendment<sup>d</sup> was agreed to, and the resolution, as amended, adopted.

By Mr. McMillan of Habersham—

A joint resolution instructing the Finance Committees of both Houses of this General Assembly, in joint session, to consider and report as early as practicable what action, if any, may be necessary to protect the credit of this State against evil results from any and all acts of the last General Assembly, whereby the guaranty of this State has been, or by said acts is authorized to be, extended in the interest of any railroad company, or companies, or other corporation.

By Mr. McWhorter of Greene—

*Resolved*, The Senate concurring, that the Judiciary Committees of the two Houses shall be joint committees.

By Mr. Hillyer of Camden—

A resolution that the Messenger furnish blotting paper for the use of the members.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has agreed to a resolution extending the time for the collection of taxes for the year 1871, in which they ask the concurrence of the House of Representatives.

The resolution was read and referred to the Committee on Finance.

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AFTERNOON SESSION,  
MONDAY, 3 o'clock P. M.

The House reassembled.

On motion, the call of the roll was dispensed with.



The following bill were read the second time and referred to the Committee on the Judiciary :

A bill to appoint commissioners to investigate the affairs of this State.

A bill to provide for the election of a Governor.

A bill to explain and alter sections 244 and 4841 of the Revised Code of Georgia.

A bill to alter and amend section 3644 of Irwin's Revised Code, relating to fees of Clerk of the Superior Court, so far as relates to the county of Chatham.

A bill to fix the compensation of members of the General Assembly

A bill to require defendants in actions for the recovery of real estate to file an abstract of the title on which they rely

A bill to restore the jurisdiction of Notaries Public and Justices of the Peace in the Twenty-Ninth Senatorial District, as it existed before the law creating District Courts in said district.

A bill to alter and amend section 2023 of Irwin's Revised Code.

A bill to compensate grand and traverse jurors of the Superior Courts of DeKalb county, and to authorize the Tax Collector to receive jury certificates for county taxes, and to pay constables who serve during the sessions of DeKalb Superior Courts.

A bill to repeal an act entitled an act to extend the lien of set-off and recoupment as against debts contracted before the first day of June, 1865, and to deny to such debts the aid of the courts until the taxes thereon have been paid.

A bill to repeal an act entitled an act to organize the District Court and define its jurisdiction, and for other purposes.

A bill to create the offices of County Commissioners, and prescribe their duties.

A bill to alter and amend the road laws of this State.

A bill to authorize the voters of Fannin county to elect an Ordinary

A bill to amend the charter of the Memphis Branch Railroad Company.

A bill to create a Board of Commissioners of Roads and Revenue in the county of Floyd.

A bill to exempt firemen from jury duty

A bill to amend section 3687 of the Revised Code of Georgia, in reference to the withdrawal of claims.

A bill to amend an act entitled an act to authorize the Mayor and Council of Atlanta to provide for the introduction of water-works in said city, etc.

A bill to authorize the payment of ten per cent. interest on one hundred bonds of one thousand dollars each by the Scofield Rolling Mill Company

A bill to repeal an act entitled an act to change the county of Glascock from the Northern to the Middle Judicial Circuit.

A bill to repeal an act entitled an act to extend the lien of set-off and recoupment as against debts contracted before the first day of June, 1865.

A bill to repeal an act entitled an act to repeal an act to organize a criminal court for each county in this State, assented to seventh of October, 1868, and the several acts amendatory thereof.

A bill to repeal an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes.

A bill to alter the law in relation to interest on money

A bill to make it a penal offense for a laborer to abandon his employer before the expiration of the term he contracted to labor.

A bill to alter and amend section 256 of the Code, and to require all writs and bills in equity to be recorded before termination of suit.

The following bills were read the second time and referred to the Committee on the Judiciary, with instructions to report thereon November 7, 1871:

A bill to order a special election for a Governor of this State.

A bill to provide for the election of a Governor, and for other purposes.

The following bill was referred to the same committee, with instructions to report thereon Wednesday morning next:

A bill to protect all persons in this State in their civil rights, and to furnish the means of their vindication.

The following bills were read the second time and referred to the Committee on Internal Improvements:

A bill to incorporate the Excelsior Slate Mining Company, of the county of Polk.

A bill to amend an act to authorize the Mayor and Council of Rome to subscribe not exceeding one hundred thousand dollars in the Memphis Branch Railroad.

A bill to incorporate the Rome & Raleigh Railway Company.

The following bills were read the second time and referred to the Committee on New Counties and County Lines:

A bill to repeal an act, passed by the last General Assembly, to change the line between the counties of Lowndes and Berrien.

A bill to change the line between the counties of Carroll and Douglas, and to add a portion of the county of Douglas to the county of Carroll, and for other purposes.

A bill to lay out and form a new county by the division of the county of Jefferson, and to organize the same.

The following bills were read the second time and referred to the Committee on Finance:

A bill to fix the per diem pay of members of the General Assembly

A bill to alter and amend section 178 of Irwin's Revised Code.

A bill to authorize the Tax Collector of Gwinnett county to pay over to the Ordinary of said county, the State tax for the year 1871.

A bill to repeal an act to declare the poll tax of this State for the years 1868, 1869 and 1870, yet uncollected, illegal, and to prevent the collection of the same.

The following bill was read the second time and referred to the Committee on Agriculture:

A bill to make the purchase, sale, receipt or delivery of agricultural produce in certain counties, between the hours of sunset and sunrise unlawful.

The following bills were read the second time and ordered to be engrossed:

A bill to change the time of holding the Superior Courts in the counties of Columbia and McDuffie.

A bill to incorporate the Van Wert Slate Mining Company.

On motion of Mr. McWhorter of Greene, the House adjourned until 10 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Tuesday, November 7, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Hon. Garnett McMillan.

The Journal of yesterday was read and approved.

Mr. O. L. Cloud, Representative elect from the county of Warren, appeared and was sworn in.

At the request of Mr. Hoge, chairman, further time was granted to the Committee on the Judiciary for the consideration of the special bills upon which said committee was required to report this morning.

The following resolutions were offered:

By Mr. Davis—

A resolution for the appointment of a joint committee of two from the Senate and three from the House, to visit the penitentiary convicts and report on their condition and treatment.

By Mr. Hoge—

A resolution that the Speaker be requested to add three members to the Committee on the Judiciary

The following resolutions were referred to the Committee on Privileges and Elections:

A resolution by Mr. Fain, relating to the Spalding county contested election.

Also, the resolution of Mr. Griffin, as amended and agreed to on yesterday, relating to the Sumter county contested election.

A resolution by Mr. Rawls, relating to the printing of the laws, was referred to the Committee on Printing.

Mr. McMillan offered a resolution that the regular daily sessions of this House shall be from the hour of nine o'clock A. M. until the hour of two o'clock P. M.

Mr. Dell moved to strike out "two" and insert "one."

Mr. Cumming moved to insert "half-past one."

On motion of Mr. Hall of Upson, the question was divided, and the motion to strike out "two" prevailed.

Mr. McMillan accepted the amendment of Mr. Dell, and the resolution, as thus amended, was agreed to.

The resolution of Mr. Snead, offered on yesterday, in relation to the appointment of the following addi-

tional standing committees, to-wit: On Petitions and Memorials, Public Buildings and Public Property, State Library, and the Western & Atlantic Railroad, was amended by the insertion of the words, "Committee on Corporations," and, as thus amended, agreed to.

The following resolutions were agreed to:

By Mr. Goldsmith—

A resolution tendering a seat on this floor to the Rev. H. C. Hornady.

By Mr. Hudson—

A resolution that the Messenger be required to furnish each member of this House with a copy of the Constitution of this State, and the acts of the last General Assembly: *Provided*, the State Librarian has a sufficient number of the same on hand.

By Mr. Hall of Upson, offered on yesterday—

A joint resolution in relation to State printing.

Mr. McMillan, chairman of the Enrolling Committee, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit:

A bill to be entitled an act to repeal an act entitled an act to make it lawful for the legal voters of the city of Atlanta to vote for Mayor in any one of the wards in said city: *Provided*, no person shall vote but one, time, at the same election, and to prevent any person from voting for Councilmen for any other ward than the one in which he actually resides at the time of voting. Assented to October 25, 1870.

Also, a joint resolution in relation to the resignation of Rufus B. Bullock, and his defamation of this General Assembly, and the people of this State.

Also, a resolution rescinding a joint resolution of the last General Assembly. Approved May 5, 1870.

GARNETT McMILLAN,  
*Chairman Enrolling Committee.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has concurred in the following resolutions of the House of Representatives, to-wit:

A resolution rescinding a joint resolution of the last General Assembly of Georgia. Approved May 5, 1870.

Also, a resolution in relation to the resignation of Rufus B. Bullock.

The Senate has passed the following bill of the House of Representatives:

A bill to repeal an act to make it lawful for the legal voters of the city of Atlanta to vote for Mayor in any one of the wards of said city, and to prevent any person from voting for Councilmen for any other ward than the one in which he resides at the time of voting, assented to October 25, 1870, which I am directed to transmit forthwith to the House of Representatives.

The following bills were read the third time and passed:

A bill to incorporate the Van Wert Slate Mining Company

A bill to change the time of holding the Superior Courts in the counties of Columbia and McDuffie, State of Georgia.

The following bills were read the first time:

By Mr. Bacon of Bibb—

A bill to repeal an act to provide for an election, and to alter and amend the laws in relation to the holding of elections. Approved October 3, 1870.

By Mr. Phillips of Echols—

A bill to authorize Clerks of the Superior Courts in the counties of Lowndes, Coffee, Echols, Clinch and Ware, to issue writs that shall bear test in the names of J. R. Alexander and William M. Sessions.

The following bills were read the second time, and referred to the Committee on the Judiciary:

A bill to alter and amend section 3472 of Irwin's Revised Code.

A bill to repeal an act to alter and amend section 4245 of Irwin's Revised Code, by striking out of said section the words "to work in a chain-gang on the public works," and for other purposes. Approved October 27, 1870.

A bill to prescribe the punishment for playing and betting at cards.

A bill to make penal the breach of contract for labor and service, by the parties thereto, and for other purposes.

A bill to repeal an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes, approved October 28, 1870, so far as the same relates to the Twenty-Ninth Senatorial District.

A bill to repeal an act entitled an act to amend and secure the proceeds, profits or rents arising from homesteads in this State, and for other purposes. Approved March 16, 1869.

A bill to repeal an act entitled an act to organize the District Court and define its jurisdiction, and for other purposes.

A bill to be entitled an act to limit the lien of judgments of Justices Courts.

A bill to repeal an act to establish District Courts, and for other purposes.

A bill to prohibit and make penal the sale of any farm products by tenant, laborer or purchaser, etc., in the counties of Telfair and Dodge.



A bill to repeal so much of an act to organize the District Court, and to define its jurisdiction, etc., as is applicable to the Seventeenth Senatorial District.

A bill to bring on an election for Governor of Georgia, to fill the unexpired term caused by the resignation of Governor Bullock.

A bill to repeal an act to fix the salaries of the Judges of the Supreme and Superior Courts of the State of Georgia.

A bill to repeal section 121 of the Code of this State.

A bill to prescribe the mode of repealing the Code or any part of the Code of this State.

A bill to repeal section 121 of Irwin's Revised Code, and for other purposes.

A bill to repeal the District Court bill so far as relates to the Twenty-First district.

A bill to legalize the action of the Clerk of the Superior Court of Wilcox county as Ordinary of said county, and to authorize said Clerk to levy a tax, etc.

A bill to amend section 2261 of Irwin's Revised Code, in relation to lien of landlords, etc.

A bill to amend an act to fix the time of holding the Superior Courts for Charlton county

A bill to repeal an act consolidating the offices of Tax Receiver and Collector for Charlton county.

A bill to amend paragraph 632 of Irwin's Code, and also to allow the Coroner certain fees unprovided for by law, and for other purposes.

A bill to punish any person or persons who shall assume to perform the duties of Constable in the city of Savannah, unless he or they have been elected, etc.

A bill to repeal so much of an act to create and organize two new Judicial Circuits, etc., as relates to the creation and organization of the Allapaha Circuit, and for other purposes therewith connected.

A bill to authorize agents and attorneys at law to make oath to pleas, etc.

A bill to repeal an act organizing District Courts in the Senatorial Districts of this State.

A bill to repeal an act to create the Allapaha Judicial Circuit.

A bill to prohibit and make penal the sale of any farm products, etc., in the county of Dooly.

A bill to regulate the return and trial of causes at law and equity in the Superior Courts, and for other purposes.

A bill to provide for certain sales with right of redemption by the vendor, and to fix a penalty for illegal acts done in connection with and pursuance of said sales, and for other purposes.

A bill to legalize the revision of the jury boxes, etc.

The following bills were read the second time and ordered to be engrossed :

A bill to authorize the County Commissioners of Pike county to audit claims of officers for extra services, and for other purposes.

A bill to change the line between the counties of McIntosh and Liberty

A bill to authorize a counter showing to a motion for a continuance in the courts of this State.

A bill to compensate grand and traverse jurors of the county of Polk.

A bill to abolish the City Court of the city of Macon, and to repeal an act to create and organize the City Court of the city of Macon, etc.

A bill to prohibit the granting of license to retail spirituous liquors within the corporate limits of the city of Gainesville.

The following bills were read the second time and referred to the Committee on Finance :

A bill for the relief of M. J. Griffin, of the county of Lowndes.

A bill to reduce the per diem of the members of this General Assembly

A bill to authorize William C. Jones, of Meriwether county, to peddle without license.

A bill to compensate physicians for medical services rendered to paupers in this State.

A bill to increase the pay of jurors for the county of Randolph.

A bill to authorize the Mayor and Council of the city of Cuthbert to issue bonds for educational purposes, and to assess and collect taxes to pay the same.

A bill to alter and amend section 178 of the Code of Georgia, to reduce the per diem pay of the officers and members of the General Assembly

The following bills were read the second time and referred to the Committee on New Counties and County Lines :

A bill to change the line between DeKalb and Gwinnett counties.

A bill to change the line between the counties of Lee and Terrell.

A bill to change the line between the counties of Upson and Pike.

A bill to change the boundaries of Glynn, Wayne and Camden counties.

The following bill was read the second time and referred to the Committee on Internal Improvements :

A bill to provide for the opening and clearing out of Cedar Creek, in the county of Wilcox.

The following bill was read the second time and referred to the Committee on Banks :

A bill to incorporate the LaGrange Banking & Trust Company

The following bill was read the second time and referred to the Committee on Education :

A bill to change the charter of the University of Georgia so as to add four additional trustees to the board, etc.

The following bills were read the second time and committed:

A bill to change the time of meeting of the General Assembly.

A bill to repaal the twenty-second section of an act for raising revenue for the political year 1869, and to appropriate money for the use of the government for said year, etc.

A bill to repeal section fourteen of an act to carry into effect the second clause of the fifth article of the Constitution, etc., so far as the same is applicable to, or affects the counties of Rabun, Habersham, Towns and Union.

A bill to alter and amend section 2267 of Irwin's Revised Code.

A bill to confer certain privileges on John T. Whitsett, of Lee county, etc.

The following bills were read the second time and referred to the Committee on Privileges and Elections:

A bill to authorize the revision of the jury box in the county of Cherokee.

A bill to provide for the election of an Ordinary for the county of Wilcox, etc.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying documents.

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 7, 1871.

*To the House of Representatives:*

I have the honor to transmit herewith for the consideration of your honorable body, the reports of the State School Commissioner, and of the State Board of Education.

BENJAMIN CONLEY, *Governor.*

The above message was read, and the accompanying reports referred to the Committee on Education.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying documents.

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 7, 1871.

*To the House of Representatives:*

I have the honor to transmit herewith for the consideration of your honorable body, the annual report of the Comptroller General, together with his report in relation to insurance companies.

BENJAMIN CONLEY, *Governor.*

The above message was read, and the accompanying documents referred to the joint Committee on Finance.

Leave of absence was granted Mr. Cato, for two days.

The hour of one o'clock P. M. having arrived, the Speaker announced that, under the resolution adopted this morning, the House stood adjourned until 9 o'clock A. M. to-morrow.

ATLANTA, GEORGIA,  
Wednesday, November 8, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Jones.

The Journal of yesterday was read and approved.

The Speaker announced the appointment of the following committees:

*Committee on Corporations*—Messrs. W. D. Anderson of Cobb, Cumming of Richmond, Fain of Gordon, Hoge of Fulton, Pou of Muscogee, Peeples of Berrien, Hall of Meriwether, Phillips of Echols.

*Committee on Petitions and Memorials*—Messrs. McMillan of Habersham, Heidt of Chatham, Graham of Dade, Bryan of Henry, Edwards of Elbert, Johnson of Jefferson, Berrien of Burke, Baker of Pike, Hall of Meriwether.

*Committee on Western & Atlantic Railroad*—Messrs. Jackson of Fulton, Hall of Upson, McMillan of Habersham, Craig of Telfair, Tarver of Baker, Wofford of Bartow, Fain of Gordon, Cato of Troup, McWhorter Greene, Hall of Meriwether.

*Committee on Public Buildings and Public Property*—Messrs. Cumming of Richmond, Wilson of Fulton, Wynn of Wilkes, Kelly of Chatham, Hudson of Schley, Netherland of Rabun.

*Committee on the State Library*—Messrs. Bacon of Bibb, McMillan of Habersham, Jackson of Fulton, W. D. Anderson of Cobb, Russell of Chatham.

*Additional members to the Committee on the Judiciary*—Messrs. Cumming of Richmond, Pierce of Hancock, Russell of Chatham.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has agreed to the following resolution in

which they ask the concurrence of the House of Representatives, to-wit:

A resolution in relation to the Finance Committees of the Senate and House of Representatives becoming a joint committee, in accordance with the provisions of section 175 of Irwin's Revised Code, and I am directed to transmit the same forthwith to the House of Representatives.

Mr. Fain, chairman of the Committee on New Counties and County Lines, submitted the following report, to-wit:

*Mr. Speaker :*

The Committee on New Counties and County Lines have had under consideration the following bills which they respectfully return, to-wit:

A bill to be entitled an act to lay out and form a new county, by a division of Jefferson county, and organize the same, which they recommend do pass.

Also, a bill entitled an act to repeal an act passed by the General Assembly of 1870, to change the lines between the counties of Lowndes and Berrien, and recommend that the same do not pass.

J. C. FAIN, *Chairman.*

Mr. Hall, chairman of the Committee on Internal Improvements, submitted the following report:

*Mr. Speaker :*

The Committee on Internal Improvements have had under consideration the following bills, and make the following recommendations, to-wit:

A bill to be entitled an act to incorporate the Excelsior Slate Mining Company of the county of Polk, and for other purposes, which they recommend do pass.

Also, a bill to be entitled an act to amend an act to authorize the Mayor and Council of the city of Rome

to subscribe not exceeding one hundred thousand dollars of stock in the Memphis Branch Railroad, upon certain conditions therein named, and for other purposes, which they recommend do pass.

JOHN I. HALL, *Chairman*.

Mr. Rawls, chairman of the Committee on Finance, submitted the following report:

*Mr Speaker:*

The Committee on Finance beg leave to report that they have had under consideration a bill to be entitled an act to repeal an act entitled an act to declare the poll tax of this State for the years of 1868, 1869 and 1870, yet uncollected, illegal, and to prevent the collection of the same, which they recommend shall pass.

Also, they instruct the chairman of their committee to introduce and ask the passage of a resolution instructing the Treasurer to advance to each member and officer of this General Assembly one hundred dollars.

MORGAN RAWLS, *Chairman*.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying document:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 8, 1871.

*To the General Assembly:*

On the fourth day of the present month I received from Hon. Joseph E. Brown, President of the Western & Atlantic Railroad Company, a communication of which the enclosed is a copy, in reference to certain errors contained in the inventory of the property of the



Western & Atlantic Railroad, turned over by the State to the present lessees, in which he requests that the errors may be corrected, and that the evidence of such correction be preserved. I have directed that this communication, with the accompanying documents, be recorded for preservation in the office of the Secretary of State of this date, and respectfully lay that fact, with a copy of such communication, before the General Assembly, that you may take such action in the matter as you may think proper, if any should be necessary. I think it but just that the company should be credited with such articles as it did not receive, which were charged upon the inventory, and that it be charged with all such articles as were omitted or not discovered at the time by the commission appointed to turn over the road to the lessees.

Whether the communication made by the president on this subject, as filed in this office, and also recorded in the office of the Secretary of State, is sufficient evidence of the facts therein stated, or whether other action is necessary, I leave to your consideration.

BENJAMIN CONLEY, *Governor*

The foregoing message was read, and, with the accompanying document, referred to the Committee on the Western & Atlantic Railroad.

The Clerk proceeded to call the roll of the counties for the introduction of new matter, and the following bills were introduced and read the first time:

By Mr. Emerson of Whitfield—

A bill to make it legal for Sheriffs, Coroners and other levying officers to sell certain kinds of personal property without exposing the same before the court-house door at the time of sale.

By Mr. Mansfield of Stewart—

A bill to increase the pay of jurors in Stewart county.

By Mr. Killian of Towns—

A bill to amend an act entitled an act to amend an act to incorporate the Habersham & Union Turnpike Company, and grant certain privileges to the same, and for other purposes.

By Mr. Crittenden of Randolph—

A bill to amend section 2261 of Irwin's Revised Code.

By Mr. Bush of Miller—

A bill to increase the pay of jurors in the county of Miller.

Also, a bill to incorporate the town of Colquitt.

Also, a bill to require all persons owning lands in the county of Miller to give in and pay the taxes due thereon in said county, and for other purposes.

By Mr. Hall of Meriwether—

A bill to protect human life.

Also, a bill to re-establish the vendor's lien.

Also, a bill to more effectually prevent the carrying of concealed weapons.

By Mr. Jones of Macon—

A bill to change the county of Macon from the South-western Judicial Circuit, and add the same to the Macon Judicial Circuit.

Also, a bill to change the county site of Macon county

By Mr. Farmer of Liberty—

A bill to provide for the registration of the legal voters of Liberty county, and for other purposes.

By Mr. Griffin of Houston—

A bill to incorporate the Dollar Savings Bank of Fort Valley

By Mr. Head of Haralson—

A bill to require the owners of wild and unimproved lands in this State to return and pay taxes on the same in the county where said lands are situated.

Also, a bill to repeal an act to change the time for the annual meeting of the Legislature of this State.

By Mr. Simmons of Gwinnett—

A bill to alter and amend section 3895 of Irwin's Revised Code.

By Mr. Fain of Gordon—

A bill to authorize the Town Council of the town of Calhoun to aid in the construction of the North Georgia & North Carolina Railroad.

Also a bill to amend and alter and add to the several acts incorporating the town of Calhoun.

By Mr. Hoge of Fulton—

A bill to appropriate certain moneys for the compensation and reimbursement of Samuel Weil, Esq., Foreign Commissioner of immigration.

By Mr. Jackson of Fulton—

A bill to amend the charter of the city of Atlanta, by providing for the election of a Recorder and Auditor, and to prescribe their duties.

Also, a bill to establish a city court in the city of Atlanta.

By Mr. Williams of Decatur—

A bill to increase the pay of jurors, and for other purposes.

By Mr. Graham of Dade—

A bill to prescribe the manner in which official bonds and bonds in legal proceedings shall be taken and approved by Clerks, Sheriffs, Ordinaries and other officers of this State.

Also, a bill to change the line between the counties of Walker and Dade.

By Mr. Johnson of Clay—

A bill to make it unlawful for any person to sell property incumbered by mortgage or lien without giving the purchaser express notice of the existence of such mortgage or lien.

Also, a bill to change the line between the counties of Clay and Calhoun.

By Mr. Richards of Cherokee—

A bill to authorize the Tax Collector of the county of Cherokee, to pay over to the Ordinary the State tax for the year 1871, to aid in the building of a courthouse in said county.

By Mr. Payne of Catoosa—

A bill to repeal so much of section 699 of Irwin's Code as exempts from road duty, teachers and students of colleges and schools, keepers of public grist-mills, public ferrymen, keepers of toll-bridges, turnpikes, causeways and plank-roads, engineers and persons in charge of cars and trains on railroads, and for other purposes.

Also, a bill to change the time for the holding of the Superior Courts in the county of Catoosa.

By Mr. Goodman of Campbell—

A bill to change the time of holding the Superior Courts in Campbell county.

By Mr. Hillyer of Camden—

A bill to change the time of holding the Superior Court of Camden county

By Mr. Russell of Chatham—

A bill to provide for the levying and collecting of a tax for the payment of bills for insolvent criminal costs due Benjamin L. Cole, late Sheriff, and William H. Bulloch, late Clerk of the Superior Court, of Chatham county.

By Mr. Hunter of Brooks—

A bill to prohibit and make penal the sale or purchase of agricultural products between the hours of sunset and sunrise.

Also, a bill to repeal an act to amend section 3151 of the Revised Code.

Also, a bill to repeal the first and second sections, and to alter and amend the third section of an act to prescribe the practice in cases of injunctions and other extraordinary remedies in equity, and the manner of taking judgments on the same to the Supreme Court.

By Mr. Peeples of Berrien—

A bill to extend the right to unite parties in matrimony to all practicing attorneys in this State.

By Mr. Gray of Bartow—

A bill to repeal an act to authorize payment of costs to officers of court of Bartow county.

Also, a bill to increase the pay of jurors of Bartow county.

By Mr. Wofford of Mr. Bartow—

A bill to amend an act incorporating the Atlantic & Great Western Canal Company

By Mr. Clark of Troup—

A bill to increase the pay of grand and traverse jurors of the county of Troup.

By Mr. Bell of Webster—

A bill to repeal part of section eight of an act to incorporate the town of Preston in the county of Webster, and for other purposes.

By Mr. Cumming of Richmond—

A bill to amend the laws of this State in relation to garnishments.

By Mr. Craig of Telfair—

A bill to prohibit the ordinances and laws of the city of Darien, from conflicting with the interests and rights of parties shipping timber to said port.

By Mr. Atkinson of Thomas—

A bill to protect the public roads of Thomas county.

The following bill was read the second time and referred to the Committee on the Judiciary:

A bill to repeal an act to provide for an election, and to alter and amend the laws in relation to the holding of elections. Approved October 3, 1870.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing with accompanying document:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 8, 1871.

*To the House of Representatives:*

I have the honor to transmit herewith for the consid-

eration of your honorable body, the report of the Secretary of State, showing the amount of railroad bonds indorsed by the State since the passage of the act requiring such bonds to be registered in the office of the Secretary of State.

BENJAMIN CONLEY, *Governor*

The above message was read, and, with the accompanying report referred to the Committee on Finance, and two hundred copies of said message and report ordered to be printed for the use of this House.

STATE OF GEORGIA,  
DEPARTMENT OF STATE,  
ATLANTA, GA., November 7, 1871.

*To his Excellency,*

*Benjamin Conley, Governor :*

I have the honor to lay before you, for transmission to the General Assembly, a report of the railroad bonds indorsed by the State, since the passage of an act of October 25, 1870, to require all railroad bonds indorsed by the State of Georgia, to be registered in the office of the Secretary of State, and for other purposes therein mentioned :

No. of Bonds Inculsive.	Name of Railroad Company.	Am't of Bond.	Gold or Currency.	Principal when due.	Interest when due.	Int. where Payable.	Per Cent.	Total Amount Registered.
1501 to 3300	Brunswick & Albany	\$1000	Gold.	1909	Semi-Ann'ly	N. Y.	6	\$1,800,000
1 to 600	Macon & Brunswick.	1000	Currency.	1900	Semi-Ann'ly	N. Y.	7	600,000
1 to 300	Cherokee .....	1000	Currency.	1891	Semi-Ann'ly	N. Y.	7	300,000

NOTE.—It will be understood that the above table comprises only those bonds indorsed since I was required by law to keep a register thereof. The register of bonds indorsed by the State, was, previous to the act above mentioned, kept in the Executive Department only.

I am very respectfully,

Your Excellency's obedient servant,

DAVID G. COTTING,

*Secretary of State.*

The following bills were read the third time, recommitted and referred to the Committee on the Judiciary :

A bill to lay out and form a new county by the division of the county of Jefferson, and to organize the same.

A bill to confer certain privileges on John T. Whitsett of the county of Lee.

A bill to authorize a counter-showing to a motion for a continuance in the courts of this State.

A bill to alter and amend section 2267 of Irwin's Revised Code.

A bill to repeal section fourteen of an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution, etc., so far as the same is applicable to or affects the counties of Rabun, Habersham, Towns and Union.

A bill to repeal the twenty-second section of an act for raising a revenue for the political year 1869, and to appropriate money for the use of the government during said year, etc.

The following bill was read the third time and laid on the table :

A bill to change the time of meeting of the General Assembly

The following bill was read the third time and lost:

A bill to repeal an act passed by the General Assembly of 1870, to change the line between the counties of Lowndes and Berrien.

The following bills were read the third time and passed :

A bill to incorporate the Excelsior Slate Mining Company, of the county of Polk.

A bill to amend an act to authorize the Mayor and Council of Rome to subscribe not exceeding one hun-

dred thousand dollars of the stock of the Memphis Branch Railroad Company, and for other purposes.

A bill to repeal an act to declare the poll tax of this State for the years 1868, 1869 and 1870, yet uncollected, illegal and to prevent the collection of the same.

A bill to change the line between the counties of McIntosh and Liberty.

A bill to authorize the County Commissioners of Pike county to audit claims of officers for extra services, and for other purposes.

A bill to abolish the City Court of the city of Macon, and to repeal an act to create and organize the City Court of Macon, etc.

A bill to compensate grand and traverse jurors of the county of Polk.

A bill to prohibit the granting of license to retail spirituous liquors within the corporate limits of the city of Gainesville.

Mr. Simmons of Gwinnett, presented a memorial from the Georgia State Teachers' Association, which was referred to the Committee on Education, and two hundred copies of the same, together with a report of said association on "A System of Public Schools," ordered to be printed.

Mr. Hudson presented a memorial from certain citizens of Macon county, in relation to the seat of the Hon. L. C. Jones on this floor, as a member from said county, which was referred to the Committee on Privileges and Elections.

The following resolutions were read :

By Mr. Russell—

A resolution that the Committee on Finance be instructed to inquire and report to this House what compensation, *if any*, should be allowed the committee and clerks having in charge the books of the Western & Atlantic Railroad.

By Mr. Pierce—

A resolution to appoint a committee of three to in-



investigate a claim of Fleming G. Grieve, of Baldwin county, against the State, for preserving the records of the Supreme Court, during the war.

By Mr. Hunter—

A joint resolution that the Hon. William B. Fleming, of Chatham county, John C. Nichols of Pierce, W. B. Bennett of Brooks, and A. H. Hansell of Thomas, be appointed commissioners to represent the stock owned by this State, in the Atlantic & Gulf Railroad.

Also, a resolution that a committee of one from each Congressional District be appointed to confer with a corresponding committee from the Senate, in regard to the present arrangement of Senatorial Districts, and report such changes in the same as they may deem proper.

Mr. Jackson offered a resolution inviting the trustees of the State University to seats on this floor.

Mr. Simmons of Gwinnett moved to amend by adding, "and the trustees of Emory, Mercer and Oglethorpe Colleges, and the trustees of the Blind and Lunatic Asylums."

Mr. Hudson moved to amend so as to admit all trustees of colleges and schools of this State to seats on this floor.

On motion of Mr. Goldsmith, the resolution and amendments were laid on the table.

The following resolutions were read and agreed to:

By Mr. Simmons of Hall—

A resolution inviting Dr. Stephenson, professor of mineralogy, to a seat on this floor.

By Mr. Russell—

A resolution tendering the use of this Hall to-night, to General Duff Green, for the purpose of presenting his views on the subject of finance.

By Mr. Rawls—

*Resolved*, That the Treasurer be instructed to ad-

vance to each member and officer of this General Assembly one hundred dollars.

Mr. Bush gave notice that on to-morrow he would move to reconsider this resolution.

Leave of absence were granted Mr. Renfroe and Mr. Lamkin, until Monday next.

The House adjourned until nine o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Thursday, November 9, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Cox.

The Journal of yesterday was read and approved.

Mr. Bush moved to reconsider so much of the Journal of yesterday as required the Treasurer to advance one hundred dollars to each officer and member of this General Assembly

The motion was laid on the table.

A sealed package, addressed to the Speaker, containing the evidence in the contested election of the county of Glynn, was referred to the Committee on Privileges and Elections.

Mr. W. D. Anderson presented a memorial of John D. Sims and Andrew J. Smith, contesting the seats of Messrs. H. J. Sargent and Samuel Smith, on this floor, as Representatives from the county of Coweta, which, together with the evidence relating thereto, was referred to the Committee on Privileges and Elections.

Mr. McMillan presented a memorial of W. A. Parks, agent of the American Bible Society, which was referred to the Committee on Finance.

The following resolutions were agreed to :

By Mr. Cumming—

A resolution requesting Hon. Benjamin Conley, exercising the Executive powers of the government, to communicate information to this House in relation to land scrip.

By Mr. Goldsmith—

A resolution that the Messenger furnish *three* copies of the Comptroller General's report to each member of this House.

By Mr. Pierce—

A resolution that the Committee on the Western & Atlantic Railroad inquire into the lease of said road by the late Governor; whether the terms of the lease are in conformity with the law authorizing it; whether the negotiations were fair; whether the contract is legal and the security sufficient; whether the interests of the State are sufficiently protected; that the committee report by bill or otherwise, and have power to send for persons and papers.

By Mr. Rawls—

A resolution to compel railroad companies that have received State aid, to make reports, etc.

Mr. Bacon offered a resolution, that a special committee of seven be appointed to make a thorough investigation of the transactions in bonds, money and other securities of the State of Georgia, between Rufus B. Bullock, late Governor, and Henry W. Clews & Co., of New York, through the Georgia National Bank of Atlanta, or otherwise; and that said committee have power to send for persons and papers.

Mr. Hoge moved to amend by inserting the words, "the Committee on Public Expenditures be instructed," in lieu of the words, "a special committee of seven be appointed."

Mr. Scott offered as a substitute, a resolution that a committee of three be appointed to ascertain from the Treasurer, and report to this House the amount he has

paid out on account of claims against the Western & Atlantic Railroad, audited by the commissioners, and what amount has been paid on what are called liquidated claims by himself or others, as far as he knows.

On motion, the resolution, amendment and substitute were laid on the table for the present.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bill, to-wit:

A bill to incorporate the Savannah & Thunderbolt Railroad Company, and for other purposes.

Mr. Phillips, chairman of the Committee on Privileges and Elections, made the following report, to-wit:

*Mr. Speaker :*

The Committee on Privileges and Elections beg leave to report that we have had under consideration a resolution directing us to inquire into the case of Mr. George W. Rumph, applicant for a seat from the county of Wayne, and we find, upon investigation, that no election has been held in said county according to the act approved October 3, 1870. We therefore recommend that his seat be declared vacant, and that the Legislature direct the Governor to order an election to fill said vacancy.

R. W. PHILLIPS, *Chairman.*

Which was adopted.

Mr. Phillips then offered a resolution requesting the Governor to order an election for Representative from the county of Wayne, which was agreed to.

Mr. Jackson, chairman of the Committee on Education, made the following report, to-wit:

*Mr. Speaker :*

The Committee on Education recommend that a bill to be entitled an act to change the charter of the Uni-

versity of Georgia, so as to add four additional trustees to the board, and give the election of said trustees to the Alumni Society, do pass.

HENRY JACKSON, *Chairman*.

Mr. Hoge, chairman of the Committee on the Judiciary, made the following reports, to-wit:

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred, a bill to be entitled an act to repeal an act entitled an act to provide for an election, and to alter and amend the laws in relation to the holding of elections, approved October 3, 1870, have had the same under consideration, and direct me to report it back to the House, with the recommendation that it do pass.

E. F. HOGE, *Chairman*.

*Mr. Speaker:*

The Committee on the Judiciary have had under consideration, and instructed me to report back to the House, with various recommendations, the following bills, to-wit:

A bill to be entitled an act to alter and amend section 3644 of Irwin's Code, relating to the fees of Clerks of the Superior Court, so far as relates to the county of Chatham, with the recommendation that it do pass.

A bill to be entitled an act to compensate grand and traverse jurors of the Superior Courts of DeKalb county, and to authorize the Tax Collector of said county to receive jury certificates for county taxes, and to pay Constables who serve during the session of DeKalb Superior Court, with the recommendation that it do pass.

A bill to be entitled an act to amend an act, approved October 10, 1868, entitled an act to incorporate the Memphis Branch Railroad Company, and to grant certain powers and privileges to the same, and for other purposes; and to legalize and make valid the organi-

zation of said company, with the recommendation that it do pass.

A bill to be entitled an act to restore the jurisdiction of Notaries Public and Justices of the Peace in the Twenty-Ninth Senatorial District, as it existed before the law establishing a District Court in said district, with the recommendation that it do not pass.

A bill to be entitled an act to make it a penal offense for a laborer to abandon his employer before the expiration of the term he contracted to labor, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to alter and amend section 256 of the Code, and to require all writs and bills in equity to be recorded before termination of suit, the committee recommend do not pass.

A bill to be entitled an act to explain and alter sections 244 and 4841 of the Revised Code of Georgia, with the recommendation that it do pass.

A bill to be entitled an act to repeal an act to organize the District Court and define its jurisdiction, and for other purposes, with the recommendation that it do pass.

The committee recommend that the bill to be entitled an act to limit the lien of judgments of Justice's Courts be amended by adding the following, to be numbered the third (3d) section, to-wit: "The provisions of this act shall go into effect at the expiration of three months from the passage thereof;" and, when thus amended, that the bill do pass.

A bill to be entitled an act to fix the compensation of the members of the General Assembly, the committee respectfully return to the House, with the recommendation that it be referred to the Committee on Finance.

Your committee have also had under consideration the bill to be entitled an act to provide for a special election for Governor, to fill the unexpired term of R. B. Bullock, late Governor, and for other purposes, and as a number of amendments suggested themselves as

eminently proper, the committee has instructed me to report, as a matter of convenience, a substitute for the bill referred, with the recommendation that it do pass.

In view of the importance of the matter contained in this substitute offered by the committee, it is further recommended that it be made the special order for tomorrow, and that two hundred copies be printed for the use of the members of the House.

Respectfully submitted.

E. F. HOGE, *Chairman*.

The following bills were read the third time and passed:

A bill to explain and alter sections 244 and 4841 of the Revised Code of Georgia.

A bill to compensate grand and traverse jurors of the Superior Courts of DeKalb county, and to authorize the Tax Collector to receive jury certificates for county taxes, and to pay Constables who serve during the sessions of DeKalb Superior Courts.

A bill to amend the charter of the Memphis Branch Railroad Company

A bill to change the charter of the University of Georgia, so as to add four additional trustees to the board, etc.

A bill to repeal an act to provide for an election, and to alter and amend the laws in relation to the holding of elections. Approved October 3, 1870.

The following bill was read the third time and passed, as amended:

A bill to limit the lien of judgments of Justice's Courts.

The following bills were read the third time and laid on the table for the present:

A bill to make it a penal offense for a laborer to abandon his employer before the expiration of the term he contracted to labor, and for other purposes.

A bill to alter and amend section 3644 of the Code, relating to fees of the Clerk of the Superior Court, so far as relates to the county of Chatham.

A bill to repeal an act to organize the District Court, and define its jurisdiction, and for other purposes, was read the third time, and made the special order for Saturday, November 11.

A bill to fix the compensation of the members of the General Assembly, was read the third time, recommit-  
ted, and referred to the Committee on Finance.

A bill to provide for the election of a Governor was read the third time, and a substitute for the same, reported by the Committee on the Judiciary, was made the special order for to-morrow morning.

Two hundred copies of the substitute were ordered to be printed for the use of this House.

The following bills were read the third time and lost:

A bill to alter and amend section 256 of the Code, and to require all writs and bills in equity to be recorded before termination of suit.

A bill to restore the jurisdiction of Notaries Public and Justices of the Peace in the Twenty-Ninth Senatorial District, as it existed before the law creating District Courts in said district.

The following bills were read the second time and referred to the Committee on the Judiciary:

A bill to make it legal for Sheriffs, Coroners and other levying officers to sell certain kinds of personal property without exposing the same before the court-house door at the time of the sale.

A bill to amend section 2261 of Irwin's Revised Code.

A bill to protect human life.

A bill to re-establish the vendor's lien.

A bill to more effectually prevent the carrying of concealed weapons.



A bill to provide for the registration of the legal voters of Liberty county, and for other purposes.

A bill to alter and amend section 3895 of Irwin's Revised Code.

A bill to repeal an act to change the time for the annual meeting of the Legislature of this State.

The following bills were read the second time and referred to Committee on Corporations :

A bill to amend and alter and add to the several acts incorporating the town of Calhoun.

A bill to authorize the Town Council of the town of Calhoun to aid in the construction of the North Georgia & North Carolina Railroad. •

A bill to incorporate the town of Colquitt, and provide for the election of commissioners of the same.

A bill to change the county-site of Macon county, was read the second time, and referred to the Committee on New Counties and County Lines.

A bill to incorporate the Dollar Savings Bank of Fort Valley, was read the second time and referred to the Committee on Banks.

The following bills were read the second time and referred to the Committee on Finance :

A bill to require the owners of wild and uncultivated lands in this State, to return and pay taxes on the same in the county where said lands are situated.

A bill to increase the pay of jurors in Stewart county.

A bill to require all parties who own lands in the county of Miller, to give in and pay the taxes due thereon in said county, and for other purposes.

The following bills were read the second time and ordered to be engrossed :

A bill to increase the pay of jurors in the county of Miller.

A bill to amend an act to incorporate the Habersham & Union Turnpike.

A bill to change the county of Macon from the South-western Judicial Circuit, and add the same to the Macon Judicial Circuit.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has passed the following bills, to-wit:

A bill to repeal the usury laws of this State, and fix the rate of interest in cases where the contracting parties do not fix the rate thereof in writing.

Also, a bill to alter and amend section 649 of Irwin's Revised Code.

Also, a bill to repeal an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes.

Also, a bill to alter and amend an act entitled an act to incorporate the town of Hawkinsville, in the county of Pulaski, to define the limits of the same, and to repeal all previous acts passed incorporating the same, and the acts amendatory thereof. Approved October 28, 1870.

Also, a bill to confer additional powers upon the corporate authorities of the town of Barnesville, in the county of Pike.

Also, a bill to repeal an act entitled an act to amend an act, assented to August 27, 1870.

Also, a bill to amend an act to prescribe the practice in cases of injunctions and other extraordinary remedies in equity, and the manner of taking judgments thereon to the Supreme Court.

The Senate has agreed to the following resolution, in which they ask the concurrence of the House of Representatives, to-wit:

A resolution appointing certain persons commission-

ers to vote the stock of the State in the Atlantic & Gulf Railroad.

Leave of absence was granted Messrs. Rutherford, Patillo and Colby, and to Mr. W. J. Born, Door-Keeper.

The House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,

Friday, November 10, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Cox.

The Journal of yesterday was read and approved.

The special order of the day, which was the substitute reported by the Committee on the Judiciary, for the "bill to be entitled an act to provide for a special election for Governor, to fill the unexpired term of Rufus B. Bullock, and for other purposes," was taken up and read.

Mr. Simmons of Gwinnett moved to amend by striking out the third section.

Mr. Fain called the previous question on the motion of Mr. Simmons of Gwinnett, and the call was not sustained.

Mr. Jackson moved that the question of the policy of holding an election, together with the bill under discussion, be referred to the Committee on the State of the Republic.

Mr. Riley called the previous question, withdrew the call, afterwards renewed it, and it was sustained.

Mr. Jackson's motion was lost.

The motion of Mr. Simmons of Gwinnett prevailed, and the third section was stricken out.

The bill was then read, put upon its passage, and passed as amended.

The following resolutions were agreed to :

By Mr. Bush—

A resolution that the Messenger furnish a seat and desk on this floor to the reporter of the Augusta Constitutional.

By Mr. Davis of Newton—

A joint resolution for the consolidation of the Committees on Agriculture and Manufactures of the two Houses.

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr. Speaker :*

His Excellency the Governor has approved and signed the following act, to-wit:

An act to repeal an act entitled an act to make it lawful for the legal voters of the city of Atlanta to vote for Mayor in any one of the wards in said city: *Provided*, no person shall vote but one time at the same election, and to prevent any person from voting for Councilmen for any other ward than the one in which he actually resides at the time of voting. Assented to October 25, 1870.

Mr. Bush, chairman of the Committee on Journals, submitted the following report :

*Mr. Speaker :*

The Committee on Journals have examined the Journals of this House to date, and find that they have been neatly and correctly kept by Mr. Samuel Lumpkin, the Journalizing Clerk.

BUSH of Miller,  
*Chairman Committee on Journals.*

Mr. Hall of Upson, chairman of the Committee on

Internal Improvements, submitted the following report, to-wit:

*Mr Speaker:*

The Committee on Internal Improvements have had under consideration a resolution of the House, instructing this committee to report a bill imposing a penalty on railroads that have received aid from the State, which fail to make such reports as are required of them by law, to the Superintendent of Public Works, and also instructing said committee to report any other legislation to protect the interests of the State in extending aid to railroads, and make the following recommendations in reference thereto, to-wit:

The committee recommend the introduction and passage of the bill, and the introduction and adoption of the resolution herewith submitted.

All of which is respectfully submitted.

HALL of Upson,  
*Chairman.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bills, which I am directed to transmit forthwith to the House of Representatives, to-wit:

A bill to amend an act, approved October 27, 1870, to open and construct a railroad from Athens, Georgia, to some point on the Blue Ridge Railroad, near Clayton.

Also, a bill to incorporate the Chattahoochee Manufacturing Company

Also, a bill to create a Board of Commissioners of Roads and Revenue for the county of Baker.

Also, a bill to change the time of holding the Superior Courts of Talbot county

The Senate has also agreed to the following resolution, to-wit:

A resolution appointing a select joint committee, consisting of two from the Senate and three from the House of Representatives, to whom shall be referred a bill of the Senate entitled an act for the apportionment of Representatives of the General Assembly, and have appointed on the part of the Senate, Messrs. Hoyle and Kibbee.

Leave of absence was granted Messrs. Scott, Whatley, Guyton, Booth, Etheridge, Bowie, Colby, Clower, and Sargent.

The House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Saturday, November 11, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Cox.

The Journal of yesterday was read and approved.

The special order of the day, which was a bill to be entitled an act to repeal an act to organize the District Court, and define its jurisdiction, and for other purposes, was taken up and read.

Mr. Hillyer moved to amend by excepting from the provisions of the bill, all districts having at least one county with a population of ten thousand inhabitants.

Tabled on motion of Mr. Paxton.

Mr. Pou moved to amend by providing that the Judges and Solicitors of the several District Courts which have been actually organized and have proceeded to the transaction of business, shall be compensated in a sum in such proportion to their annual sala-

ries as the time since said organization bears to the period of one year.

Mr. McMillan moved to amend by inserting a section legalizing all the acts and proceedings of the District Courts, and providing for the compensation of the Judges and Solicitors.

Mr. Russell moved to amend by excepting from the provisions of Mr. McMillan's amendment, the county of Chatham.

On motion of Mr. Graham, the amendments offered by Messrs. Pou, McMillan and Russell were laid on the table.

Mr. Griffin of Houston moved to recommit the bill, and refer it again to the Committee on the Judiciary, which was lost.

Mr. Richards moved to lay the bill on the table, which was lost.

The previous question was called, the call sustained, and the bill read, put upon its passage and passed.

Mr. Simmons of Hall offered a resolution that each of the pages of this House be paid the sum of — dollars as an advance for their services during the present session of this General Assembly.

Mr. McWhorter moved to amend by filling the blank in said resolution with the word twenty-five, which amendment was accepted, and the resolution, as thus amended agreed to.

Mr. Jackson offered a resolution requiring all officers and agents of the Western & Atlantic Railroad to pay to the State Treasurer all balances of money belonging to said road in their hands.

Mr. Pierce moved to amend by adding a proviso that nothing in said resolution contained should be construed as expressing the sense of this House, that the balances admitted by the said officers and agents are the real balances due, which amendment was accepted, and the resolution, as thus amended, was agreed to.

Mr. Payne offered a resolution providing for the appointment of a joint committee to inquire into and re-

port what bonds of this State, issued in aid of railroads, were fraudulently issued, and what bonds were legally issued, so that action may be promptly taken to protect the credit of the State.

Mr. Bacon offered as a substitute, a resolution instructing the joint Finance Committee to inquire into and report upon all matters touching transactions in Georgia bonds and finances between Rufus B. Bullock and Henry Clews & Co., through the Georgia National Bank of Atlanta, or any other bank or person, and that said committee have power to send for persons and papers.

Mr. McMillan moved to amend the substitute by providing that if the committee, from the evidence before them, have reason to suspect any present or former official of any offense against the laws of this State, the chairman shall forthwith sue out a warrant for the arrest of such official, and in case of his absence from the State, shall procure a requisition, to be made upon the Executive of the State to which he has fled, for his delivery, that he may be brought to justice.

Mr. Bacon accepted the amendment.

Mr. Hall of Upson moved to amend the substitute by striking out Finance Committee and inserting Committee on Public Expenditures.

This motion did not prevail, and the substitute, as amended, was agreed to.

Mr. Hall of Meriwether offered a resolution instructing the Committee on Privileges and Elections to inquire into the eligibility of Mr. David H. Johnson, who is contesting the seat of Mr. Daniel A. Johnson on this floor, as member from the county of Paulding, under the Fourteenth Amendment to the Constitution of the United States. \

Mr. McMillan moved to amend by simply requiring the committee to report upon the right of the contestant to a seat in this House.



On motion of Mr. Pierce, the resolution and amendment were laid on the table.

Mr. Griffin of Houston offered a resolution requiring the Finance Committee to inquire why the Treasurer under Governor Jenkins' administration, has not settled with the present Treasurer, and report what has been done with the two hundred and fifty thousand dollars alledged to have been in his possession.

The rules were suspended and the resolution adopted.

Mr. Bunn presented a memorial from John A. Jones, of Polk county, in relation to a certain lot of land, which, without being read, was referred to the Committee on Petitions and Memorials.

The Speaker announced the following gentlemen as additional members of the Committee on the Penitentiary: Messrs. Simmons of Hall, Riley of Lumpkin, Palmer of Dawson.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying document:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 11, 1871.

*To the General Assembly:*

I have the honor to transmit herewith the annual report of the Superintendent of Public Work upon State-aid railroads for the year ending October 1, 1871, made in pursuance of a joint resolution of the Legislature. Approved September 21, 1868.

The report is very full and comprehensive, and contains a large amount of valuable information upon the subject to which it is devoted. It embraces a complete alphabetical tabular statement of the railroads to which

State aid has been granted, the date when such aid was granted, the date of the charter of each road, the amount of capital stock allowed by the charter, and the amount per mile for which the indorsement of the State was authorized by law to be given. It also embraces the reports of the officers of some of these companies, giving a complete and detailed statement of the condition of their roads, the amount of capital stock subscribed, the number of bonds issued and indorsed by the State, the number of miles completed, the cost of construction and equipment, etc., etc. The officers of a large number of these roads, however, have failed to make reports, and the Superintendent of Public Works is therefore unable to furnish reliable and satisfactory information in reference to them.

There are also included in the report, tables showing the value of property in the counties through which many of these roads pass, and a comparison of the value of such property for the years 1866, 1867, 1868, 1869 and 1870.

The attention of your honorable body is respectfully invited to the recommendations contained in the report in reference to the public buildings of the State, and to the map of the State, as well as to the very able and elaborate suggestions upon the subject of a direct and unobstructed water communication between the great Mississippi Valley and the Atlantic Ocean, and I trust that these recommendations and suggestions may meet with your earnest and serious consideration.

BENJAMIN CONLEY, *Governor*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed a bill to repeal and alter the punishment prescribed in certain sections of the Code therein named.

The Senate has also agreed to a resolution instruct-

ing the joint Finance Committee to inquire into the financial condition of this State, in which they ask the concurrence of the House of Representatives.

The Senate has also concurred in the resolution of the House of Representatives, instructing the joint Committee on Finance to proceed forthwith to investigate all matters touching the transactions in bonds, moneys and other securities of the State of Georgia, between Rufus B. Bullock, Henry Clews & Co., the National Bank of Atlanta, and other parties, with power to send for persons and papers.

Mr. Hoge, chairman of the Committee on the Judiciary Committee, made the following report:

*Mr. Speaker:*

The Judiciary Committee, to whom was referred a bill to be entitled an act to order a special election for a Governor of this State, has had the same under consideration, and instructs me to report the same to the House, with the recommendation that it do not pass.

A bill to be entitled an act to require defendants in actions for the recovery of real estate, to file an abstract of the title on which they rely, the committee has considered, and recommend that it do not pass.

Also, a bill to be entitled an act to amend the road laws of this State, the committee recommend do not pass.

The committee has also had under consideration a bill to be entitled an act to exempt firemen from jury duty. To this bill the committee suggests sundry amendments, and, when amended as proposed, it is recommended that it do pass.

E. F. HOGE,

*Chairman Judiciary Committee.*

Mr. Rawls, chairman of the Committee on Finance, submitted the following report, to wit:

*Mr. Speaker :*

The Committee on Finance beg leave to report that they have had before them a resolution extending the time for the collection of taxes for the year 1871, which they recommend do not pass.

Also, a bill to authorize the Tax Collector of Gwinnett county to pay over to the Ordinary of said county the State tax for the year 1871, which they recommend do not pass.

Also, a bill to be entitled an act to compensate physicians for medical services rendered to paupers in this State, which they recommend do not pass.

Also, a bill to authorize the Mayor and Council of the city of Cuthbert to issue bonds for educational purposes, and to assess and collect taxes to pay the same, which they recommend do pass.

Also, a bill to be entitled an act to increase the pay of jurors for the county of Randolph, which they recommend do pass.

Also, a bill to be entitled an act for the relief of M. J. Griffin, of the county of Lowndes, which they recommend do not pass.

Also, a bill to be entitled an act to increase the pay of jurors in Stewart county, which they recommend do pass.

MORGAN RAWLS,  
*Chairman Finance Committee.*

Mr. McMillan, chairman of the Enrolling Committee, submitted the following report :

*Mr. Speaker ;*

The resolution instructing the Treasurer to advance to each member and officer of the General Assembly one hundred dollars, is duly enrolled and ready for the signature of the Speaker of the House of Representatives.

GARNETT McMILLAN,  
*Chairman of the Enrolling Committee.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has concurred in a resolution of the House of Representatives instructing the Treasurer to advance to each member and officer of this General Assembly one hundred dollars, and I am instructed to transmit the same forthwith to the House of Representatives.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompany document.

The message was taken up and read, and is as follows:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 11 1871.

*To the House of Representatives:*

I herewith return, without my approval, a resolution rescinding a joint resolution of the last General Assembly Approved May 5, 1870.

My reasons for refusing to sanction this resolution are these:

The resolution, sought to be repealed by the one now under consideration, requires the Treasurer to pay only such warrants as are regularly issued by the Executive, and countersigned by the Comptroller General, *in accordance to law*. So long as I shall exercise the duties of the Executive office, I shall draw no warrants not in strict conformity to law, and no valid reason can be assigned why a warrant legally drawn and countersigned should not be paid by the Treasurer upon presentation. Anything tending to impede the

payment thereof, is, in my judgment, unjust to the holders of legal warrants, and must tend to bring the good name of the State into discredit. We should endeavor to avoid doing anything tending directly or indirectly to work an injustice of this description, however slight, or to create an impression that the State does not meet with promptness and fidelity all legal draft upon her Treasurer.

The second branch of the resolution would meet my approval, if I could conscientiously sanction the first, although I deny the general proposition that a solemn act of the General Assembly can be suspended, modified or repealed by a mere joint resolution.

I had determined, before the action of the General Assembly upon this resolution, to draw no more warrants upon the twentieth section of the general appropriation act of October 25, 1870, and I shall adhere strictly to that determination in accordance with the indication of the sense of the General Assembly, until "final action" is had in the premises, unless the public good imperitively demands that I should act otherwise.

BENJAMIN CONLEY, *Governor*

Mr. Scott moved to pass the resolution over the veto.

Mr. Pou moved to make it the special order for next Tuesday, 14th instant.

Mr. Payne moved to refer the resolution and message to the Committee on the Judiciary, and make their report thereon the special order for next Monday, 13th instant

The Speaker ruled this motion out of order.

Mr. Hudson moved to have two hundred copies of the message and resolution printed, and made the special order for Monday next, 13th instant.

On motion of Mr. Bacon, the question was divided, and the motions to postpone were lost.

Mr. Simmons of Hall then called the previous question on the motion of Mr. Scott, the call was sustained, and the main question put.

The yeas and nays were required, and are as follows:

Those voting in the affirmative are Messrs.—

Anderson, Wm. D.	Flynt,	Morrison,
Anderson, Wm. P.	Glover,	Murphy of Burke,
Bacon,	Goldsmith,	Murphy of Harris,
Baker of Bryan,	Graham,	Netherland,
Baker of Pike,	Gray,	Nutting,
Ballanger,	Guerry,	Palmer,
Barksdale,	Hall of Meriwether,	Paulk,
Barron,	Hall of Upson,	Paxton,
Bateman,	Hammond,	Payne,
Beaseley,	Hancock,	Pentecost,
Bell,	Harvey,	Phillips,
Braddy,	Head,	Pierce,
Brawler,	Heidt,	Pou,
Brewton of Tatnall,	Hendley,	Rawls,
Bryan,	Howell,	Reid,
Bunn,	Hooks,	Richards,
Bush,	Hudson,	Riley,
Butts,	Hughes,	Ross,
Carlton,	Hunter,	Rountree,
Cato,	Jackson,	Russell,
Chancey,	Jenkins,	Scott,
Chastain,	Johnson of Clay,	Sellers,
Clark of Richmond,	Johnson of Spalding,	Simmons of Gwinnett,
Clark of Troup,	Jones of Gwinnett,	Slaton,
Cleghorn,	Jones of Hart,	Smith of Oglethorpe,
Clements,	Jones of Terrell,	Sneed,
Cloud,	Kelly,	Spence,
Cody,	Kennedy,	Stovall,
Collins,	Killian,	Summers,
Converse,	Knowles,	Tarver,
Cox,	Lang,	Taylor,
Crittenden,	Lipsey,	Trammell,
Cumming,	Mann,	Watters,
Davenport,	Martin,	West,
Davis of Newton,	Mattox,	Wilson,
Dell,	McConnell,	Wofford of Banks,
Edwards,	McMillan,	Wofford of Bartow,
Emerson,	McNeal,	Wood,
Fain,	Meadows,	Woodward,
Farmer,	Morris,	Wynn.
Field,		

Those voting in the negative are Messrs.—

Allred,	Blue,	Brown,
Atkinson,	Brady,	Campbell,
Battle,	Bruton of Decatur,	Colby,

Davis of Clarke,	Joiner,	O'Neal,
Dukes,	Jones of Macon,	Ormond,
Foyd,	Lewis,	Putney,
Franklin,	Mansfield,	Richardson,
Goodman,	McWhorter,	Simmons of Hall,
Griffin of Twiggs,	Moreland,	Smith of Coweta,
Hillyer,	Oliver,	Williams.
Hoge,		

Yeas 121. Nays 31.

So the resolutions was passed by a constitutional majority of two-thirds, over the Governor's veto, and ordered to be transmitted forthwith to the Senate.

Leave of absence was granted Messrs. Peeples, Cox, Johnson of Jefferson, Stovall, Griffin of Twiggs, and Craig; and also to Messrs. Riley, Palmer, Simmons of Hall, and Brown, from the Committee on the Penitentiary, to visit the convicts at Gainesville.

On motion, the House adjourned until 10 o'clock A. M. on Monday next.

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ATLANTA, GEORGIA,  
Monday, November 13, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Chaplain.

The Journal of Saturday was read and approved.

Leave of absence was granted Mr. Wofford of Banks, for two days, on account of sickness in his family, and to Mr. Dell, for this day, on account of sickness.

The Clerk proceeded to call the roll of the counties for the introduction of new matter, and the following bills were introduced and read the first time:

By Mr. Hunter—

A bill to add the counties of Clinch, Echols and



Lowndes, of the Allapaha Circuit to the Southern Judicial Circuit, and to fix the time of holding the Superior Courts in the last named circuit.

Also, a bill to create and organize a new Judicial Circuit out of the counties composing the Southern, Macon and Middle Circuits, to provide for the appointment of a Judge thereof, and for other purposes.

Also, a bill to levy and collect a tax from the owners of dogs in this State, and to prescribe a penalty in case of failure or neglect to give in and pay said tax.

By Mr. Bacon -

A bill to amend article seven, section two of the Constitution of the State of Georgia, upon the two-thirds vote of the present and next succeeding Legislature, and ratification by the qualified voters of the State.

Also, a bill to repeal certain sections of an act to charter the Georgia Mutual Fire & Life Insurance Company, and the several acts amendatory thereof.

Also, a bill to incorporate the Commercial Bank of Albany

Also, a bill to establish a permanent board of education for the county of Bibb, and to incorporate the same, define its duties and powers, and for other purposes.

By Mr. Hammond—

A bill to authorize the Tax Collector of Butts county to pay to the Ordinary of said county the taxes, except special taxes, collected for the year 1871, for the purpose of building a court-house.

By Mr. Goodman—

A bill to authorize the Ordinary of Campbell county to issue county bonds.

By Mr. Paxton—

A bill to require the owners of lands in the county of Charlton to return and pay the taxes thereon in said county

By Mr. Cody—

A bill to create a board of assessors in each county of this State.

By Mr. Davis of Clarke—

A bill to repeal an act prohibiting the leasing or hiring of Penitentiary convicts.

By Mr. Mattox—

A bill to require the owners of lands in the county of Clinch to return and pay the taxes thereon in said county

By Mr. W P Anderson—

A bill to regulate the pay of grand and petit jurors of Cobb county

Also, a bill to direct the Tax Collector of Cobb county to pay the Ordinary of said county the taxes of 1871, for certain purposes, etc.

By Mr. W D. Anderson—

A bill to authorize the Ordinary of Cobb county to issue bonds, etc.

Also, a bill to amend the charter of the town of Acworth, in the county of Cobb.

By Mr. Spence—

A bill to change the line between the counties of Coffee and Ware, so as to include the residence of Merritt Meeks in Coffee county

By Mr. Sargent—

A bill to incorporate the town of Sharpsburg, in the county of Coweta.

Also, a bill to amend section three of an act to alter and amend an act to extend and define the corporate limits of the town of Newnan, in the county of Coweta, and for other purposes. Approved March 6, 1865.

By Mr. Palmer—

A bill to alter and amend section 178 of the Revised Code.

Also, a bill to authorize and require the Tax Collector of Dawson county to pay over to the County Treasurer of said county, the amount of the State tax for the year 1871, for rebuilding the jail of said county.

Also, a bill to alter and amend the road laws of this State, so far as relates to the county of Dawson.

By Mr. Rawls—

A bill to regulate the fees of Solicitors General, in the Supreme Court.

By Mr. Edwards—

A bill to legalize the adjournment of the Superior Court of Elbert county

Also, a bill to change the time of holding the Superior Courts in the counties of Elbert and Hart.

By Mr. Hughes—

A bill to establish a lien in favor of physicians and school teachers, on cotton, corn, wheat and other crops owned or raised by those for whom they practice medicine or teach school.

Also, a bill to repeal an act to establish a system of public instruction.

By Mr. Johnson of Clay—

A bill for the relief of O. P. Anthony, Tax Collector of Clay county, and his securities.

Also, a bill to incorporate the town of Whitney

By Mr. Ballanger—

A bill to amend the acts incorporating the village of Cave Springs, in the county of Floyd, and a memorial from certain citizens of Floyd county, requesting the passage of the same.

By Mr. Hoge—

A bill to empower Judges of the Superior Courts of this State to appoint auditors in cases pending at law

By Mr. Jackson—

A bill to amend the laws in reference to wills made in another State, Territory or foreign country

Also, a bill to amend the laws respecting nuncupative wills.

Also, a bill to authorize the reception of depositions during the vacations of the courts, from post masters and others.

Also, a bill to change the law of distribution, so far it affects the separate property of married women.

Also, a bill to prevent and make illegal the collection of costs in any cause to which the State may be a party until the final termination of the same.

Also, a bill to amend an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution.

By Mr. Fain—

A bill to incorporate the town of Resaca, and for other purposes.

By Mr. Simmons of Gwinnett—

A bill to alter and amend section 1640 of Irwin's Revised Code.

By Mr. McMillan—

A bill to provide for the ditching and draining of lands under certain circumstances, and for other purposes.

Also, a bill to make slander or oral defamation criminal, and to provide for the punishment of the same.

Also, a bill to change the county-site of Clarke county from Watkinsville to the town of Athens, and for other purposes.

Also, a bill to alter and amend section 3178 of Irwin's Revised Code, in relation to holding adjourned terms of the Superior Courts, and for other purposes.

Also, a bill to repeal section 2349 of Irwin's Revised Code, and to amend the remaining laws of this State, in relation to the duties of processioners of land, etc., as set forth in the several sections of said Code, from section 2350 to 2358, both inclusive.

Also, a bill to compensate the Clerk and Sheriff of the Superior Court, and other officers for services rendered in the District Court of Richmond county

Also, a bill to incorporate an Agricultural Land Grant Board, and to dispose of the Agricultural College lands and scrip, and appropriate the proceeds of the same to the North Georgia and Central Georgia Agricultural Colleges.

Also, a bill to alter and amend the several sections

of Irwin's Revised Code, from section 2716 to section 2730, both inclusive.

The rules were suspended, and the following bill transmitted from the Senate, read the first time:

A bill to repeal the twentieth section of an act. Approved October 25, 1876.

The rules were suspended, and the following bill read the third time and passed:

A bill to authorize the revision of the jury-box in the county of Cherokee.

Mr. Mattox presented a memorial from certain citizens of Clinch county, asking for relief, which was referred to the Committee on Petitions and Memorials.

Mr. Sargent presented a memorial from William Russell and Jordan Rowland, of the county of Coweta, in relation to poor schools, which was referred to the Committee on Education.

The following resolutions were offered:

By Mr. Hoge—

A resolution rescinding the resolution agreed to by the last General Assembly, appointing Commissioners to revise Irwin's Code.

By Mr. Russell—

A resolution to the same effect as the foregoing.

By Mr. W. D. Anderson—

A resolution that the Committee on the Penitentiary be directed to inquire into and report upon the contract made by ex-Governor Bullock, farming out the convicts of the Penitentiary

By Mr. Davis of Clarke—

A resolution instructing the Committee on the Judiciary to inquire and report what progress has been made by the attorneys appointed by Governor Bullock, to revise the Code of Georgia.

By Mr. Cumming—

A resolution that the Treasurer be instructed to advance to the Door-Keepers and assistant Door-Keepers, Messengers and assistant Messengers of each House of the General Assembly, one hundred dollars on account for services.

The following resolutions were agreed to :

By Mr. McWhorter—

A resolution that a committee of three be appointed to make the necessary arrangements to have the capital building properly heated.

Also, a resolution that two hundred copies of the additional standing committees, and such additions as have been made to the other standing committees, be printed for the use of this House.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit :

*Mr Speaker :*

His Excellency the Governor has approved and signed the following resolution, to-wit :

A resolution, that the Treasurer be instructed to advance to each member and officer of this General Assembly one hundred dollars.

The following report was submitted by Mr. W. D. Anderson, chairman of the Committee on Corporations:

*Mr. Speaker :*

The Committee on Corporations, to whom the following bills were submitted, report as follows :

A bill to be entitled an act to authorize the Town Council of Calhoun to aid in the construction of the North Georgia & North Carolina Railroad, which we recommend do pass.

A bill to be entitled an act to amend and alter and add to the several acts incorporating the town of Calhoun, which we recommend do pass.

A bill to be intituled an act to incorporate the town of Colquitt, and providing for the election of commissioners of the same, which we recommend do pass with an amendment thereto attached.

WILLIAM D. ANDERSON, *Chairman.*

Mr. McMillan, chairman of the Enrolling Committee submitted the following report :

*Mr. Speaker :*

The resolution consolidating the Committees of Agriculture and Manufactures of each House.

Also, the resolution requiring officers and agents of the Western & Atlantic Railroad to pay into the State Treasury sums of money in their hands, are duly enrolled and ready for the signature of the Speaker of the House of Representatives.

GARNETT McMILLAN,  
*Chairman Enrolling Committee.*

Mr. Cumming, chairman of the Committee on Banks, submitted the following reports, to-wit :

*Mr. Speaker :*

The Committee on Banks have had under consideration a bill to be entitled an act to incorporate the Dollar Savings Bank of Fort Valley, and recommend that said bill do pass.

JOSEPH B. CUMMING,  
*Chairman of Committee on Banks.*

*Mr. Speaker :*

The Committee on Banks have had under consideration a bill to be entitled an act to incorporate the La Grange Banking & Trust Company, and recommend that said bill be amended by striking out of the third section thereof, the following language, to-wit: "and all mortgages so taken shall be so considered as upon personal property, and may be foreclosed under the laws made and provided for the foreclosure of mort-

gages on personal property in this State ;” such language being, in the opinion of the committee, obnoxious to section twenty-six, of article one of the Constitution of this State, prohibiting special legislation, and that said bill, when so amended, do pass,

JOSEPH B. CUMMING,  
*Chairman of Committee on Banks.*

Mr. Phillips, chairman of the Committee on Privileges and Elections, submitted the following report:

*Mr Speaker :*

The Committee on Privileges and Elections beg leave to report that we have had under consideration a resolution directing us to inquire into the contested election case from Spalding county, and after carefully examining the law and the evidence, we recommend that Daniel A. Johnson, the present incumbent from said county be removed, and his seat declared vacant, and that David H. Johnson, the contestant, be recognized and qualified as the legal Representative of the county of Spaulding, to fill said vacancy.

We further recommend that the bill to authorize the revision of the jury box in the county of Cherokee, do pass.

All of which is respectfully submitted.

R. W. PHILLIPS, *Chairman.*

On motion of Mr. Phillips, the rules were suspended, and so much of the foregoing report as relates to the Spalding county contested election was taken up.

Mr. Simmons of Gwinnett moved to have two hundred copies of the evidence in said contested election printed, and so much of the report as relates thereto made the special order for to-morrow.

Mr. McMillan moved as a substitute, to refer the matter to the Committee on the Judiciary, with instructions to report.

Mr. Hall of Upson moved as a substitute that two



hundred copies of the evidence be printed, and that the report be made the special order for Friday next, 17th instant.

The substitute of Mr. Hall was agreed to.

Mr. McMillan then offered a resolution instructing the Committee on the Judiciary to report on Friday next, whether it be competent, under the laws relating to contested elections, for the Committee on Privileges and Elections, in making up their report, to take or consider any testimony other than that which was regularly taken before the Judicial officer, as prescribed by the Revised Code, which was agreed to.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bills, to-wit:

A bill to require Ordinaries to specify out of what funds orders on the County Treasurers should be paid.

Also, a bill to allow plaintiffs in execution a right to damages in certain cases.

Also, a bill to repeal the twentieth section of an act, approved October 25, 1870.

Also, a bill to amend section 4428 of the Code of Georgia.

Also, a bill to amend the law of arson in this State.

Also, a bill to amend the attachment laws of this State.

The Senate has also concurred in a resolution of the House of Representatives to consolidate the Committees of Agriculture and Manufactures of each House.

Also, a resolution of the House of Representatives requiring officers and agents of the Western & Atlantic Railroad to pay into the treasury sums of money in their hands.

Leave of absence was granted to Mr. Johnson of Spalding, on account of indisposition, until Thursday

next; and to Mr. Ross of Bibb, on account of disease of the eyes, for the remainder of the session.

The House adjourned until 9 o'clock A. M., to-morrow.

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ATLANTA, GEORGIA,  
Tuesday, November 14, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker, and opened with prayer by the Rev Mr. Jones.

The Journal of yesterday was read and approved.

The Speaker announced the following gentlemen as the committee to arrange and provide for the warming of this hall and the clerk's offices therewith connected: McWhorter of Greene, Hudson of Schley, and Hall of Meriwether.

Mr. Pierce offered the following resolution, which was agreed to:

*Resolved*, That this House will proceed to the election of a United States Senator, at 12 M. to-day.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor, to deliver to the House of Representatives a communication in writing, with accompanying document.

The message was not taken up.

The Clerk proceeded with the call of the counties, and the following bills were introduced and read the first time:

By Mr. Pierce—

A bill to alter and amend the several acts incorporating the city of Milledgeville.

By Mr. Jones of Hart—

A bill to restrict the operation of the several sections of Irwin's Code from section 2333 to 2346, both inclusive, in the counties of Hart and Habersham.

By Mr. Bryan—

A bill to alter and amend section 4476 of the Code, in relation to vagrants.

By Mr. Barron—

A bill to enforce contracts of immigrants and laborers, and for this purpose, to make their wages liable to garnishment in certain cases.

By Mr. Farmer—

A bill to create a Board of Commissioners in the county of Liberty, and define their duties.

By Mr. Lang—

A bill to alter and amend an act to fix the compensation for taking down in writing the evidence on charges of felony. Approved October 10, 1868.

By Mr. Riley—

A bill to organize a new judicial circuit.

Also, a bill to amend an act to establish a system of public instruction, so far as relates to the county of Lumpkin.

Also, a bill to amend the road laws of this State so far as relates to the county of Lumpkin.

By Mr. Meadows—

A bill to authorize the Tax Collector of Madison county to receive certain jury certificates in payment of all taxes due said county.

By Mr. Hall of Meriwether—

A bill to constitute a Board of Commissioners for the county of Meriwether.

By Mr. Moreland—

A bill to authorize and require the Tax Collector of Meriwether county to keep his office at the court-house of said county

Also, a bill to amend the seventh paragraph of section 1711 of Irwin's Revised Code.

By Mr. Floyd—

A bill to incorporate the town of Rutledge, in the county of Morgan.

By Mr. Clements—

A bill to prevent the sale of spirituous liquors within a mile of Clement's Institute, in the county of Montgomery.

By Mr. Bush—

A bill to amend an act to amend and secure the proceeds, profits or rents arising from homesteads in this State, and for other purposes.

Also, a bill to amend the laws in relation to dower.

Also, a bill to prohibit parties from driving or carrying away stock from their own ranges, and for other purposes.

Also, a bill to amend an act incorporating the town of Morgan, in the county of Calhoun.

Also, a bill to regulate lost time of laborers.

Also, a bill to authorize Sheriffs and other levying officers to collect advertising fee, and costs of keeping property, before accepting affidavits of illegality or claims.

By Mr. Pou—

A bill to alter and amend an act to amend and alter the charter of the city of Columbus, approved March 8, 1866.

Also, a bill to authorize parties in certain cases to file bills of exceptions.

Also, a bill to provide for the payment of a portion of the fund raised for school purposes, to the city of Columbus.

Also, a bill to incorporate the Merchants' & Mechanics' Savings Bank of Columbus, Georgia.

By Mr. Davis of Newton—

A bill to amend section 4420 of the Code of Georgia.

Also, a bill to organize a State Board of Agriculture.

By Mr. Smith of Oglethorpe—

A bill to render certain slanders penal and to provide for the punishment of the same.

By Mr. Trammell—

A bill to regulate the pay of grand and traverse jurors of Paulding county

Also, a bill to create a Board of Commissioners of Roads and Revenue for the county of Paulding.

By Mr. Bunn—

A bill to change the line between the counties of Bartow and Polk.

By Mr. Etheridge—

A bill to exempt practicing physicians from jury duty

By Mr. Guerry—

A bill to make it criminal for any person to hunt upon the lands of another, without the consent of the owner.

By Mr. Netherland—

A bill to authorize persons who have purchased real estate in the county of Rabun, since the first day of June, 1865, to have their deeds recorded within twelve months from the passage of this act, and for other purposes.

By Mr. McNeal—

A bill to exempt practicing physicians from jury duty

By Mr. Crittenden—

A bill to ascertain the amount of insolvent criminal cost yet due and unpaid to the officers of the County Court, and to pay the same.

By Mr. Snead—

A bill to repeal an act to create a Board of Commissioners of Roads and Revenue, in the county of Richmond.

By Mr. Clark of Richmond—

A bill to prevent the sale of farm products between the hours of sunset and sunrise, in the counties of Richmond and Burke.

By Mr. Hudson—

A bill to authorize Jonathan Ross, of the county of Schley, to make a valid and binding settlement with his ward, Sterling G. Carter, a minor.

Also, a bill to alter and amend section 1977 of Irwin's Revised Code.

By Mr. Dell—

A bill to amend the laws in relation to the punishment of capital offenses.

Also, a bill to require defendants in certain cases to pay the costs before filing affidavits of illegality

Also, a bill to abolish the District Courts of this State.

Also, a bill to organize a criminal court for each county of this State, define its jurisdiction, and for other purposes.

By Mr. Brady—

A bill to incorporate the town of Leeton, in the county of Sumter.

By Mr. Mansfield—

A bill to amend the several acts consolidated and approved February 9, 1869, incorporating the town of Lumpkin, in Stewart county

By Mr. Glover—

A bill to compensate grand and petit jurors of the county of Sumter.

By Mr. Bateman—

A bill to alter and amend an act assented to October 6, 1868.

By Mr. Craig—

A bill to repeal an act to change the county site of Telfair county to a point on the Macon & Brunswick Railroad.

By Mr. Atkinson—

A bill to declare of whom juries shall be composed, in certain cases.

Also, a bill to authorize the citizens of Thomasville to elect certain officers.

By Mr. Lipsey—

A bill for the relief of George C. Edwards, former Tax Collector of Lee county

By Mr. Jones of Terrell—

A bill to alter and fix the pay of grand and traverse

jurors and bailiffs of the Superior Courts of the county of Terrell.

By Mr. Clark of Troup—

A bill to authorize the Mayor and Council of La Grange to issue bonds to aid in building railroads, and for other purposes.

Also, a bill to amend an act to confer additional powers upon the Mayor and Council of the city of La Grange, to regulate taxation in said city, and for other purposes.

By Mr. Griffin of Twiggs—

A bill to authorize the revision of the jury-box in the county of Twiggs.

By Mr. Hall of Upson—

A bill for the relief of William Gibson and Lewis DeLoach, of the county of Upson.

Also, a bill to protect the credit of this State in lending aid to railroads.

Also, a bill to change the times of holding the Superior Courts of the Flint Circuit.

By Mr. Wood—

A bill to prescribe the manner in which lunatics, idiots, insane and imbecile persons may be committed to the Lunatic Asylum, and for other purposes.

By Mr. Jenkins—

A bill to change the time of holding the Superior Courts in the county of Worth.

By Mr. Hunter—

A bill to more effectually protect religious worship in the State of Georgia.

A memorial from John R. Simmons in relation to the seat of the Hon. Sterling Glover, without being read, was referred to the Committee on Privileges and Elections.

The following resolutions were offered :

By Mr. Snead—

A resolution in reference to Rufus B. Bullock, late Governor.

Mr. McMillan moved to suspend the rules and take up this resolution, which motion did not prevail.

By Mr. McMillan—

A resolution for the appointment of a joint committee to investigate the official character of Rufus B. Bullock, late Governor, and report thereon as early as possible, and that the chairman of said joint committee, upon being satisfied that there is reasonable ground to suspect the said Rufus B. Bullock of any offense against the laws, shall sue out a warrant for his arrest, and in case of his absence from the State, shall procure a demand, to be made for his delivery, upon the Governor of the State to which he has fled.

Mr. McMillan moved to suspend the rules and take up this resolution.

Mr. Kelly called the previous question, which was sustained.

The rules were not suspended.

By Mr. Griffin of Houston—

A resolution relating to the removal of the seat of government to Milledgeville.

By Mr. Ormond—

A resolution providing for the payment of A. H. Gaston for two days' services as Messenger.

By Mr. Hillyer—

A resolution for the printing of copies of the report of the State School Commissioner.

By Mr. Hancock—

A resolution that the State of Georgia be entitled to equal benefits under the provisions of the homestead law with any citizen thereof.

By Mr. Hall of Upson—

A resolution requesting the Hon. Benjamin Conley, acting Governor, to furnish a full statement of the number of miles of railway which have been constructed since July 1868, to which State aid has been given, and the number and amount of bonds which have been indorsed for said roads.

Also, a resolution directing the Superintendent of



Public Works to examine and report upon the condition of all railroads in this State, to which State aid has been given, and to provide for his compensation for such service.

The rules were suspended and the following resolutions were agreed to :

By Mr. Bryan—

A resolution instructing the Treasurer to lay before this House a statement of the character of the bonds now in his office, to the credit of the Educational Fund, their character and availability to meet by sale or otherwise, the pressing necessities of the educational interests of this State.

Also, a joint resolution for the appointment of a committee of two from the Senate and three from the House, to examine and report upon a "Codification of the laws of this State applicable to Justices of the Peace and Justices Courts," prepared by S. C. McDaniel.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bill of the House of Representatives, with certain amendments, in which they ask the concurrence of the House of Representatives :

A bill to provide for a special election for Governor, to fill the unexpired term of Rufus B. Bullock, and for other purposes.

Mr. Hoge, chairman of the Committee on the Judiciary made the following report :

*Mr. Speaker :*

The Committee on the Judiciary has had under consideration a number of the bills referred thereto, and instructs me to report as follows :

The committee recommended that the bill to be entitled an act to amend an act to authorize the Mayor and Council of the city of Atlanta to provide for the introduction of water-works into said city, do pass.

That a bill to authorize the payment of ten per cent. interest on one hundred bonds of one thousand dollars each by the Scofield Rolling Mill Company, do pass.

A bill to be entitled an act to repeal an act entitled an act to organize the District Court and define its jurisdiction, and for other purposes, approved October 25, 1870, the committee recommend do not pass.

A bill to be entitled an act to prescribe the punishment for playing and betting at cards, the committee recommend do not pass.

A bill to be entitled an act to alter and amend section 2267 of Irwin's Revised Code, the committee recommend do not pass.

A bill to be entitled an act to repeal an act to organize the District Court, and define its jurisdiction, and for other purposes, approved October 28, 1870, so far as the same relates to the twenty-ninth Senatorial District, the committee recommend do not pass.

A bill to be entitled an act to confer certain privileges on John T. Whitsett, of Lee county, and to make lawful his acts, and to give him authority to transact business as though he were of lawful age, the committee recommend do not pass.

A bill to be entitled an act to repeal an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes, approved October 28, 1870, the committee recommend do not pass.

A bill to be entitled an act to repeal an act to organize the District Court, and to define its jurisdiction, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to repeal an act entitled an act to organize a Criminal Court for each county in this State, assented to October 7, 1868, and the several acts amendatory thereof, the committee recommend do not pass.

A bill to be entitled an act to amend section 2387 of the Revised Code of Georgia, in reference to the withdrawal of claims, the committee recommend do not pass.

A bill to be entitled an act to repeal an act entitled an act to change the county of Glascock from the Northern to the Middle Judicial Circuit, the committee recommend do pass.

Respectfully submitted.

E. F. HOGE, *Chairman*.

Mr. Jackson, chairman of the Committee on Education, submitted the following report, to-wit:

*Mr. Speaker:*

The Committee on Education recommend that the petitions of William Russell and Jordon Rowland in reference to compensation for services performed in teaching poor children, be laid upon the table.

The committee further recommend the adoption of the following joint resolution:

Whereas, The amount standing to the credit of the Educational Fund according to the reports of the State Board of Education and of the State School Commissioner is six hundred and sixty-three thousand two hundred and eighty-two dollars and ninety-eight cents; and whereas, the entire sum under the direction of the last General Assembly, has been drawn out the treasury of the State and appropriated to other purposes; and whereas, under act approved July 28, 1870, the Governor is required to deposit with the Treasurer, bonds of this State bearing seven per cent., sufficient in number to secure the Educational Fund:

*Therefore, be it resolved,* That the Executive Department deposit with the Treasurer of this State forthwith seven per cent. bonds of this State, sufficient to secure the said Educational Fund, and report forthwith his action to this General Assembly

*Resolved further*, That none of the bonds so to be deposited as aforesaid, be disposed of until the manner and mode of disposition be declared by the final action of this General Assembly, upon the subject of public schools.

HENRY JACKSON, *Chairman*.

The memorial mentioned in the foregoing report was, on motion, laid on the table.

The committee appointed for the purpose of making arrangements to have the capitol building properly heated, made the following report:

*Mr. Speaker*:

The committee appointed for the purpose of inquiring into and having the capitol building properly heated, have discharged that duty, and beg leave to state that they had an interview with Mr. C. F. Watson, keeper of the capitol property, and that he is now making the necessary arrangements by having the piping and other fixtures connected with the heating apparatus cleaned out and put in good condition, so as to secure such additional amount of steam as to make the House, Senate, and other rooms now in use by the General Assembly, comfortable.

R. L. McWHORTER of Greene,

C. B. HUDSON of Schley,

W. H. F. HALL of Meriwether.

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr. Speaker*:

The Senate has passed the following bills, to-wit:

A bill to provide the mode of filling vacancies in the in the office of Ordinary in this State.

Also, a bill to amend section 4779 of Irwin's Revised Code.

Also, a bill to prescribe for suits against joint obligors in the City Court of Savannah.

Also, a bill to create a Board of Commissioners of Roads and Revenue in the county of Dawson.

Also, a bill to provide for the election, and to alter the laws for holding elections.

Also, a bill to amend section 2741 of the Code.

Also, a bill to incorporate the town of Eastman, and to repeal all previous acts incorporating the same.

The Senate has also agreed to the following resolution, in which they ask the concurrence of the House of Representatives, to-wit:

A resolution rescinding a resolution, approved May 5, 1870, which I am directed to transmit forthwith to the House of Representatives.

The hour of 12 o'clock M. having arrived, the House, in accordance with the act of Congress, and the resolution agreed to this morning, proceeded to the election of a United States Senator, for the term of six years, beginning March 4, 1871, and expiring March 4, 1877.

Mr. Simmons of Gwinnett, nominated the Hon. Thos. M. Norwood as a candidate.

Pending the calling of the roll, Mr. Scott rose to a point of order, to-wit: that every member, in his seat, was, under the rules of this House, compelled to vote when his name was called, unless excused by the House.

The Speaker ruled the point well taken.

Mr. Griffin of Houston presented a protest, signed by himself and other members, against the holding of this election, which he asked as a matter of right to have spread upon the Journal.

Mr. Scott made the point of order, that said protest could not be so entered upon the Journal, as a matter of right.

The Speaker ruled the point well taken, but that by permission of the House said protest might be so entered.

The Clerk recommenced and proceeded with the calling of the roll, the members voting *viva voce*, when

upon receiving and adding up the votes, it appeared that the Hon. Thomas M. Norwood had received 127, blank 22, scattering 4.

Those voting for Hon. T. M. Norwood are Messrs.—

Anderson, Wm. D.	Franklin,	Moreland,
Anderson, Wm. P.	Glover,	Morris,
Bacon,	Goldsmith,	Morrison,
Baker of Bryan,	Goodman,	Murphy of Burke,
Baker of Pike,	Graham,	Netherland,
Ballanger,	Gray,	Nutting,
Barksdale,	Griffin of Twiggs,	Patillo,
Barron,	Guerrey,	Paulk,
Bateman,	Guyton,	Paxton,
Beasley,	Hall of Upson,	Payne,
Bell,	Hammond,	Peeples,
Berrien,	Hancock,	Pentecost,
Bowie,	Harvey,	Phillips,
Braddy,	Head,	Pierce,
Brady,	Heidt,	Pou,
Brawner,	Hendley,	Rawls,
Brewton of Tatnall,	Hoge,	Reid,
Bryan,	Howell,	Renfroe,
Bunn,	Hooks,	Richards,
Bush,	Hudson,	Roundtree,
Butts,	Hughes,	Russell,
Cato,	Hunter,	Rutherford,
Chancey,	Jackson,	Scott,
Chastain,	Jenkins,	Sellers,
Clark of Richmond,	Johnson of Clay,	Simmons of Gwinnett,
Clark of Troup,	Jones of Gwinnett,	Simmons of Hall,
Cleghorn,	Jones of Hart,	Slaton,
Clements,	Jones of Terrell,	Smith of Oglethorpe,
Cloud,	Kelly,	Snead,
Cody,	Kennedy,	Spence,
Collins,	Killian,	Summers,
Converse,	Knowles,	Tarver,
Craig,	Lamkin,	Taylor,
Crittenden,	Lang,	Trammell,
Cumming,	Lipsev,	Watters,
Davis of Newton,	Mann,	West,
Dell,	Martin,	Wilson,
Edwards,	Mattox,	Wofford of Bartow,
Emerson,	McConnell,	Wood,
Etheridge,	McMillan,	Woodward,
Fain,	McNeal,	Wynn,
Farmer,	Meadows,	Mr. Speaker.
Flynt,		

Norwood, 127.

Those voting "Blank" are Messrs.—

Allred,	Colby,	Jones of Macon,
Atkinson,	Davis of Clarke,	Lewis,
Battle,	Dukes,	Oliver,
Blue,	Floyd,	Ormond,
Bruton of Decatur,	Griffin of Houston,	Putney,
Brown,	Hillyer,	Richardson,
Campbell,	Joiner,	Simmons of Houston.
Clower,		

Blank, 22.

Mr. McWhorter voted for the Hon. C. B. Wootten.

Mr. Hall of Meriwether voted for the Hon. H. K. McCay

Mr. Sargent voted for the Hon. William Dougherty.

Mr. O'Neal voted for the Hon. E. Tweedy.

Scattering, 4.

Mr. Patillo stated that his colleague, Mr. Murphy of Harris, was kept from his seat by sickness, and wished this to appear in the Journal as his reason for not voting for Mr. Norwood.

Mr. Smith of Oglethorpe made a similar statement in reference to Mr. Davenport.

The Hon. Thomas M. Norwood, having received a majority of all the votes cast, was declared by the Speaker to be the choice of this House for the office of United States Senator, for the term of six years, beginning March 4, 1871, and expiring March 4, 1877.

Mr. Jackson moved to allow all the members who voted "blank," to enter their protest against this election upon the Journal if they desired to do so.

Mr. McMillan called the previous question. The call was sustained, and Mr. Jackson's motion was lost.

Mr. Pou moved to allow all who desired to do so, the privilege of entering their protest upon the Journal, which motion prevailed.

The protest was then presented by Mr. Griffin of Houston, in behalf of himself and the other members who signed it, and is in the following words, to-wit:

GEORGIA LEGISLATURE,  
HOUSE OF REPRESENTATIVES,  
ATLANTA, GA., Nov 14, 1871.

The undersigned, duly elected and qualified members of the House of Representatives of the State of Georgia, do now most solemnly protest against any action of this body attempting to fill the office of Senator of this State, in the Senate of the United States, lately occupied by Hon. H. V M. Miller, and whose term of office has expired, for the following reasons, to-wit:

That the General Assembly of this State, at its last session, to-wit: on the fifteenth day of February 1870, as appears by the Journals of the two Houses, filled said office by the election of the Hon. Foster Blodgett thereto, and any election now held, is, in the judgment of the undersigned, unconstitutional and void.

We respectfully ask that this protest be entered upon the Journal of the House of Representatives.

H. L. HILLYER,	WESLY <sup>his</sup> <del>×</del> OLIVER,
F F. PUTNEY,	L. C. JONES,
W H. F. HALL,	G. H. CLOWER,
PETER O'NEAL,	JOEL R. GRIFFIN,
MONDAY FLOYD,	J. A. LEWIS,
T. G. CAMPBELL, JR.,	A. <sup>his</sup> <del>×</del> COLBY,
ADAM N. BRUTON,	A. <sup>mark.</sup> F ATKINSON,
A. <sup>his</sup> <del>×</del> DUKES,	PHILIP JOINER,
MADISON DAVIS,	GEORGE ORMOND,
JAMES BLUE,	A. RICHARDSON.
JASPER <sup>his</sup> <del>×</del> BATTLE,	SAMUEL SMITH,
<sup>mark.</sup>	

Leave of absence was granted as follows:

To Mr. Jones of Gwinnett, for one day, on important business; to Mr. Barron, for a few days, on special busi-



ness; to Mr. Carlton, on account of sickness; to Mr. Barksdale, on special business, and to Mr. Davenport, on account of sickness.

The House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Wednesday, November 15, 1871.

The House met pursuant to adjournment and was called to order by the Speaker, and opened with prayer by Rev Mr. Jones.

The Journal of yesterday was read and approved.

Mr. Murphy of Harris was allowed to record his vote for the Hon. Thomas M. Norwood, for United States Senator, having been absent yesterday, on account of sickness.

On motion of Mr. Pierce, the rules were suspended, and the bill to provide for a special election for Governor, to fill the unexpired term of Rufus B. Bullock, and for other purposes, which had been passed by the Senate, with certain amendments, was taken up, and the amendments concurred in.

Mr. Craig offered a resolution that the Clerk of this House inform the Senate that the House will be ready to receive them into this Hall at 12 o'clock M. to-day, for the purpose of consolidating the vote of the General Assembly for United States Senator, which was agreed to.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has passed the following bills, to-wit:

A bill to provide for the payment of the debt of Clarke county

Also, a bill to regulate the practice of dentistry in this State.

Also, a bill to change the county site of Clarke county, and for other purposes.

Also, a bill to repeal an act to make permanent the site of the public buildings for Heard county, and to incorporate the town of Franklin.

The Clerk proceeded to call the roll of the counties, for the introduction of new matter, and the following bills were introduced and read the first time:

By Mr. Emerson—

A bill to incorporate the Georgia Industrial Agency, and to aid railroad companies, farmers, manufacturers and others to obtain loans on more favorable terms than are usually given by banks.

Also, a bill to authorize the authorities of the city of Dalton to purchase and donate lands to the Selma, Rome & Dalton Railroad Company

Also, a bill to authorize the authorities of the city of Dalton to issue bonds for educational purposes.

Also, a bill to establish a system for working the public roads.

Also, a bill to incorporate the town of Tilton, in the county of Whitfield.

By Mr. Morris—

A bill to prevent the killing or hounding of deer in the counties of Talbot, Marion and Taylor, in the months of May, June, July and August.

By Mr. Morrison—

A bill to require the Tax Collector of Ware county to receive county scrip for taxes due said county

By Mr. Cumming—

A bill to extend the jurisdiction of the City Court of Augusta over the county of Richmond.

By Mr. Clark of Richmond—

A bill to establish an annuity for certain persons therein designated.

By Mr. McNeal—

A bill to authorize the Ordinary of Randolph county to issue bonds for the building of a court-house, and for other purposes.

By Mr. Field—

A bill to authorize Callaway Campbell, of Murray county, to erect a mill-dam across Connasauga river, on his own land.

By Mr. Howell—

A bill to authorize the sale of personal property at any place within the limits of Milton county.

Also, a bill to allow persons to make returns of their taxable property to the Clerk of the Superior Court, in certain cases.

Also, a bill to prevent fraud in laying off the homestead and exemption of personalty under the Constitution, and to make the same a misdemeanor.

On motion, the rules were suspended and the report of the Superintendent of Public Works, enclosed with the message of his Excellency the Governor, which was sent to this House on the 11th instant, was, without being read, referred to the Committee on Internal Improvements.

The message from the Executive Department which was sent to this House on yesterday, was taken up and read, and is in the following words:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 14, 1871.

*To the Senate and House of Representatives :*

I have the honor to transmit herewith the printed report of the Principal Keeper of the Georgia Penitentiary for the year ending December 31, 1870.

By reference to this report it will be seen that the outstanding indebtedness of the institution amounts to \$7,771 99, and that there is a balance in favor of the Penitentiary amounting to \$9,046 98. The claims against the institution are of long standing, and justice to the holders demands that provision should be made

for their payment. I would respectfully recommend that such provision be made, and also that measures be adopted for the prompt collection and adjustment of the balances due the Penitentiary

I also invite your attention to the fact that the contract under which the convicts were hired to Messrs. Grant, Alexander & Co., expired on the 28th day of June last. They are now under the control of these contractors, in pursuance of an arrangement made between my predecessor and Messrs. Grant, Alexander & Co., by which the old contract was to continue in force until revoked by Executive order, in which case the contractors were to receive not less than three months' notice of such revocation. This arrangement was made for the reason that there was no provision of law for the support of the convicts, had they been returned to the Penitentiary, and it was deemed best for the interest of the State that the old contract should be continued in force, in the terms stated. It will thus be seen that early legislation upon this important subject is rendered imperative, and whatever measures may be adopted by your honorable body in reference to this matter, it would seem but justice to the present contractors, that the terms of the arrangement above stated should be substantially complied with, and that they should receive reasonable notice of the disposition that is to be made of the convicts now under their control

A reference to the report of the inspector, appointed by my predecessor, in behalf of the State, to investigate the matter of the condition of the convicts under the management of the present lessees, of file in this department, as well as to the report of the Principal Keeper, herewith submitted, will show that the treatment of the convicts has been humane, and in every way such as, under the circumstances, could be reasonably expected or desired, and will also tend greatly to allay the apprehension that has hitherto been felt by a considerable portion of the people of the State upon this subject.

. BENJAMIN CONLEY, *Governor*

On motion of Mr. Gray, the rules were suspended, and the report of the Committee on Finance, relating to the Senate resolution for extending the time for the collection of taxes for the year 1871, taken up.

The report recommended that the Senate resolution be not concurred in.

Mr. Gray presented a minority report from said committee, signed by himself and Mr. Crittenden, recommending that said resolution be concurred in.

Mr. Pou moved to amend the resolution by striking out sixty and inserting thirty days.

The Speaker ruled this motion out of order, stating that the question was upon agreeing to the report of the committee.

Mr. Price called the previous question, and the call was sustained.

Mr. Payne called for the yeas and nays.

Those voting in the affirmative are Messrs.—

Brady,	Hall of Meriwether,	Rawls,
Butts,	McWhorter,	Richardson,
Craig,	Phillips,	Sargent.

Those voting in the negative are Messrs.—

Allred,	Brewton of Tatnall,	Converse,
Anderson, Wm. D.	Bruton of Decatur,	Cox,
Anderson, Wm. P.	Brown,	Crittenden,
Atkinson,	Bryan,	Cumming,
Bacon,	Bunn,	Davis of Clarke,
Baker of Bryan,	Bush,	Davis of Newton,
Baker of Pike,	Campbell,	Dukes,
Ballanger,	Cato,	Edwards,
Barksdale,	Chancey,	Emerson,
Barron,	Chastain,	Etheridge,
Bateman,	Clark of Richmond,	Fain,
Battle,	Clark of Troup,	Farmer,
Beaseley,	Cleghorn,	Field,
Bell,	Clements,	Floyd,
Berrien,	Cloud,	Flynt,
Blue,	Clower,	Franklin,
Bowie,	Cody,	Glover,
Braddy,	Colby,	Goldsmith,
Brawner,	Collins,	Graham,

Gray,	Lewis,	Reid,
Griffin of Houston,	Lipsey,	Richards,
Griffin of Twiggs,	Mann,	Riley,
Guerry,	Mansfield,	Roundtree,
Guyton,	Martin,	Russell,
Hall of Upson,	Mattox,	Rutherford,
Hammond,	McConnell,	Scott,
Hancock,	McMillan,	Sellers,
Head,	McNeal,	Simmons of Gwinnett,
Heidt,	Meadows,	Simmons of Hall,
Hendley,	Moreland,	Simmons of Houston,
Hillyer,	Morris,	Smith of Coweta,
Howell,	Morrison,	Smith of Oglethorpe,
Hooks,	Murphy of Burke,	Snead,
Hudson,	Murphy of Harris,	Spence,
Hughes,	Netherland,	Summers,
Hunter,	Nutting,	Tarver,
Jackson,	Oliver,	Taylor,
Jenkins,	O'Neal,	Trammell,
Joiner,	Ormond,	Watters,
Jones of Macon,	Palmer,	West,
Jones of Terrell,	Paulk,	Whatley,
Kelly,	Paxton,	Wilson,
Kennedy,	Payne,	Wofford of Banks,
Killian,	Pentecost,	Wofford of Bartow,
Knowles,	Pierce,	Wood,
Lamkin,	Pou,	Woodward,
Lang,	Putney,	Wynn.

Yeas, 9. Nays, 141.

So the majority report was not adopted.

The hour of 12 o'clock, M. having arrived, the Senate attended in the hall of House of Representatives, and the General Assembly, after being called to order by the Hon. L. N. Trammell, President of the Senate, proceeded to consolidate the vote of the two Houses, cast on yesterday, for a United States Senator, for the term commencing March 4, 1871, and ending March 4, 1877.

Upon reading the Journals of the Senate and House of Representatives, now convened in joint assembly, it appeared that the Hon. Thomas M. Norwood had received 154 votes; the Hon. C. B. Wooten, 3; the Hon. H. K. Cay, 1; the Hon. William Dougherty, 1; the Hon. E. Tweedy, 1, and blank 22.

So the Hon. Thomas M. Norwood, having received a majority of all the votes in each House, was declared elected to represent the State of Georgia in the Congress of the United States, for the term of six years, commencing March 4, 1871, and expiring March 4, 1877.

The Senate then repaired to their chamber.

The House took up the minority report of the Committee on Finance.

Mr. Simmons of Gwinnett offered as a substitute, a resolution allowing Tax Collectors until twenty-fourth December next to collect and make returns of taxes yet unpaid, and until twenty-fifth January 1872, to pay the same into the treasury, and providing also, that said collectors should pay into the treasury all taxes now collected within the time prescribed by law.

Mr. Cumming moved to amend by adding that nothing in said resolution contained shall be so construed as to relieve any tax payer from the payment of any poll tax or other tax, for the years 1868, 1869 and 1870, or any of said years.

The amendment was accepted, and the substitute as thus amended was agreed to.

The Senate resolution as amended by the substitute, was then concurred in.

Mr. McMillan, chairman of the Enrolling Committee, submitted the following report :

*Mr Speaker :*

The bill to provide for a special election for Governor, to fill the unexpired term of Rufus B. Bullock, late Governor, and for other purposes, is duly enrolled and ready for the signature of the Speaker of the House of Representatives.

GARNETT McMILLAN,  
*Chairman Enrolling Committee.*

Mr. Hoge, chairman of the Judiciary Committee, submitted the following report :

*Mr Speaker :*

The Judiciary Committee have had under considera-

tion a number of the bills that have been referred thereto, and I am directed to report as follows :

A bill to be entitled an act to provide for the punishment of any person or persons, who shall assume to perform the duties of Constable, in the city of Savannah, unless he or they has or have been elected or appointed, and qualified in accordance with the statute of the State, the committee recommend do pass.

A bill to be entitled an act to authorize agents and attorneys at law of defendants, to make oath to pleas or defenses, in all cases requiring pleas to be filed under oath, the committee recommend do pass.

For a bill to be entitled an act to repeal section 121 of Irwin's Revised Code, and for other purpose, the committee propose a substitute, and recommend that the substitute do pass.

For a bill to be entitled an act to repeal section fourteen of an act entitled an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution, approved February 15, 1869, so far as the same is applicable to, or affects the counties of Rabun, Habersham, Towns and Union, the committee offer a substitute, and recommend that it do pass.

A bill to be entitled an act to repeal an act to establish a District Court, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to bring on an election for Governor of Georgia, to fill the unexpired term caused by the resignation of Governor Bullock, the committee recommend do not pass.

A bill to be entitled an act to repeal the District Court bill, so far as relates to the Twenty-First District, the committee recommend do not pass.

A bill to be entitled an act to repeal so much of an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes, approved October 28, 1870, as is applicable to the Seventeenth Senatorial District, and to provide for the unfin-



ished business of the District Court of said District, the committee recommend do not pass.

A bill to be entitled an act to repeal an act entitled an act to alter and amend section 4245 of Irwin's Revised Code, the committee recommend do pass.

A bill to be entitled an act to repeal an act entitled an act to amend and secure the proceeds, profits, or rents arising from homesteads in this State, and for other purposes, approved March 16, 1869, the committee recommend do pass.

For a bill to be entitled an act to alter and amend section 3472 of Irwin's Revised Code, in relation to continuances, the committee offer a substitute and recommends that it do pass.

A bill to be entitled an act to legalize the acts of the Clerk of the Superior Court of Wilcox county, as Ordinary of said county, and to authorize said Clerk to levy a tax for county purposes for the year 1871, the committee recommend do pass.

For a bill to be entitled an act to authorize a counter showing to a motion for a continuance in the courts of of this State, the committee proposes a substitute, and recommend that the substitute do pass.

A bill to be entitled an act to prescribe the mode of repealing the Code of this State, or any part thereof, the committee recommend do not pass.

A bill to be entitled an act to repeal an act consolidating the offices of Tax Receiver and Collector for Charlton county, the committee recommend do pass.

A bill to be entitled an act to fix the time of holding the Superior Court for Charlton county, the committee recommend do pass.

The committee have patiently considered the bill to be entitled an act to appoint commissioners to investigate the affairs of this State, and I am instructed to report the bill back to the House with amendments, and with the recommendation that, when amended as proposed, it do pass.

E. F. HOGG, *Chairman.*

The Clerk resumed the call of the counties, and the following bills were read the first time :

By Mr. Bryan—

A bill to regulate the system of farming out the Penitentiary convicts.

By Mr. McMillan—

A bill to require all declarations and defenses in causes at common law to be complete, as filed at the first time, and prohibit amendments to the same in certain cases, and for other purposes.

Also, a bill to alter and amend section 2850 of Irwin's Revised Code.

By Mr. Wilson—

A bill to alter and amend section 689 of Irwin's Revised Code.

By Mr. Jackson—

A bill for the relief of Charles Latimer.

Also, a bill for the relief of Mary A. Edmondson.

The following resolutions were offered :

By Mr. Hall of Meriwether—

A joint resolution memorializing Congress for the removal of political disabilities.

By Mr. Richards—

A resolution that two hundred copies of the report of the State School Commissioner be printed for the use of this House.

The following resolutions were agreed to :

By Mr. Phillips—

A resolution instructing the Committee on Finance to inquire into and report upon an account of M. H. Bentley, former assistant Messenger, for services as such, which has been audited, but not paid.

Also, a resolution that the Secretary of State be directed to turn over to the Committee on Privileges and Elections all papers in his office, having reference to the election of a Representative from the county of Calhoun.

Leave of absence was granted to Messrs. Jones of Heart, Chancey, Williams, Butts and Clements.

Mr. Hoge offered a resolution that two hundred copies of the bill to appoint commissioners to investigate the affairs of this State, as amended by the Committee on the Judiciary, be printed for the use of this House, and that said bill be made the special order for Monday next, 20th instant.

Pending action on this resolution, the hour of 1 o'clock P. M. arrived, and the Speaker declare the House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Thursday, November 16, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. McMillan offered a resolution instructing the Committees on Public Printing of the two houses to investigate and report as early as practicable, whether justice to the State requires any change in the amount of compensation now allowed to the State Printer; and that the General Assembly proceed at 12 o'clock M. this day, to elect a State Printer, who shall be entitled to the office upon his accepting the terms mentioned in said report, when adopted,

On motion, the rules were suspended, and the resolution agreed to.

Mr. Hall of Upson offered a resolution that the House do now proceed to the election of a Speaker *pro tem.*, and a Clerk *pro tem.* Agreed to.

Accordingly, the House proceeded to the election of a Speaker *pro tem.*, the members voting *viva voce*, when upon receiving and adding up the votes, it appeared that the Hon. Joseph B. Cumming, Representative from the county of Richmond, had received 130; scattering 4.

So Mr. Cumming having received a majority of all the votes cast, was declared Speaker *pro tem*.

Those voting for Mr. Cumming are Messrs.—

Allred,	Franklin,	Morrison,
Anderson, Wm. D.	Goldsmith,	Murphy of Burke,
Anderson, Wm. P	Goodman,	Murphy of Harris,
Bacon,	Graham,	Netherland,
Baker of Bryan,	Gray,	Nutting,
Baker of Pike,	Griffin of Twiggs,	O'Neal,
Ballanger,	Guerry,	Ormond,
Battle,	Guyton,	Palmer,
Beasley,	Hall of Meriwether,	Patillo,
Bell,	Hall of Upson,	Paxton,
Bowie,	Hancock,	Payne,
Braddy,	Head,	Peeples,
Brady,	Heidt,	Pentecost,
Brawner,	Hendley,	Pierce,
Brewton of Tatnall,	Hillyer,	Pou,
Brown,	Hoge,	Putney,
Bryan,	Howell,	Rawls,
Bunn,	Hooks,	Reid,
Bush,	Hudson,	Renfroe,
Cato,	Hughes,	Richardson,
Chancey,	Hunter,	Roundtree,
Chastain,	Jackson,	Russell,
Clark of Richmond,	Jenkins,	Rutherford,
Clark of Troup,	Johnson of Clay,	Sargent,
Cleghorn,	Joiner,	Sellers,
Clements,	Jones of Macon,	Simmons of Gwinnett,
Clower,	Jones of Terrell,	Simmons of Houston,
Cody,	Kennedy,	Slaton,
Collins,	Killian,	Smith of Coweta,
Converse,	Lamkin,	Smith of Oglethorpe,
Cox,	Lang,	Snead,
Crittenden,	Lewis,	Spence,
Davis of Clarke,	Lipsey,	Tarver,
Davis of Newton,	Mansfield,	Taylor,
Dell,	Martin,	Trammell,
Dukes,	Mattox,	Watters,
Edwards,	McConnell,	West,
Emerson,	McMillan,	Wilson,
Etheridge,	McNeal,	Wofford of Bartow,
Fain,	McWhorter,	Wood,
Farmer,	Meadows,	Woodward,
Field,	Moreland,	Wynn,
Floyd,	Morris,	Mr. Speaker.
Flynt,		

Messrs. Bruton of Tatnall and Richardson voted for Hon. E. F. Hoge. Mr. Atkinson for Hon. R. L. McWhorter, and Mr. Colby for Mr. M. Floyd.

On motion of Mr. McWhorter, Mr. L. Carrington, of the county of Baldwin, was elected Clerk *pro tem.*, by acclamation.

The unfinished business of yesterday, the same being the resolution offered by Mr. Hoge, that two hundred copies of the bill to appoint commissioners to investigate the affairs of this State, as amended by the Committee on the Judiciary, be printed for the use of this House, and said bill made the special order for Monday next, 20th instant, was taken up.

Mr. McWhorter called the previous question, which was sustained.

On motion of Mr. Pierce the question was divided.

The motion to print two hundred copies was put to the House and prevailed ; and also the motion to make said bill the special order for Monday next, 20th instant.

The Speaker asked leave of absence for one day, on account of indisposition, which was granted, and the Speaker *pro tem.* took the Chair.

Mr. Jackson offered a resolution that two hundred copies of the Report of the State School Commissioner be printed for the use of this House.

Mr. Hillyer moved to amend by striking out two hundred and inserting five hundred, which motion did not prevail.

Mr. Jackson's resolution was agreed to.

The Speaker announced that at the request of the Committee on Education, the name of Mr. Hammond of Butts, was added to the same.

The Clerk resumed the call of the counties for the introduction of new matter, which was unfinished on yesterday, and the following bills were read the first time :

By Mr. Whatley—

A bill to provide for the payment of grand and petit jurors of the county of Fayette.

Also, a bill to revise the jury box of Fayette county.

Also, a bill to lay out a new county from the counties of Coweta, Spalding, Fayette and Meriwether.

By Mr. Graham—

A bill to repeal an act to consolidate the offices of Tax Receiver and Collector for the county of Dade.

By Mr. Chancey—

A bill to authorize the Ordinary of Early county to levy a tax sufficient to supply the paupers of said county with medicines, and for other purposes.

Also, a bill for the relief of B. Chancey, Tax Collector of Early county, for the year 1869.

By Mr. Lamkin—

A bill to change the line between McDuffie and Columbia counties.

By Mr. Richardson—

A bill to regulate the wages of laborers, in certain cases in the county of Clarke.

By Mr. Johnson of Clay—

A bill for the protection of Clerks of the Superior Courts and Sheriffs of this State, and to secure their fees, and for other purposes.

By Mr. W. D. Anderson—

A bill to incorporate the Mutual Protection Company of the State of Georgia.

By Mr. Cody—

A bill to make the compensation of grand, talis and petit jurors in the counties of Taylor and Chattahoochee, two dollars per day

By Mr. Heidt—

A bill to amend an act, assented to December 31, 1838, to establish and incorporate a medical college in the city of Savannah.

By Mr. Russell—

A bill to exempt from jury duty, in the county of

Chatham, all regularly licensed physicians, who are actually engaged in the practice of their profession.

By Mr. Bacon—

A bill to amend an act to alter and amend the several acts incorporating the city of Macon, approved December 27, 1847, and the several acts amendatory thereto, to grant additional powers to the Mayor and Council of the city of Macon, and for other purposes.

Also, a bill to incorporate the Exchange Bank of Macon.

Also, a bill to incorporate the College of Pharmacy and Health in the city of Macon.

Also, a bill to incorporate the Macon & Chattahoochee Railroad Company

By Mr. Gray—

A bill to authorize Nathan Chapman to exhibit slight of hand, etc., free of taxes.

By Mr. Simmons of Gwinnett—

A bill to amend an act to incorporate the town of Norcross, in the county of Gwinnett, and for other purposes, approved October 26, 1870.

By Mr. Guyton—

A bill to incorporate the town of Dublin, in the county of Laurens.

By Mr. Pou—

A bill to alter and amend the third paragraph of section 2448 of Irwin's Revised Code.

By Mr. McConnell—

A bill to regulate the pay of jurors in the county of Clayton.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has agreed to the following resolution, in which they ask the concurrence of the House of Representatives:

A resolution raising a joint special committee con-

sisting of two from the Senate and three from the House of Representatives, to inquire into the cost of the public printing, and have appointed as such committee on the part of the Senate, Messrs. Nicholls and Simmons.

Mr. Sargent offered a resolution that the Committee on the Judiciary be instructed to report a bill providing for an election of three Commissioners for each county in this State, and prescribing their duties.

Mr. Netherland moved to suspend the rules to take up a resolution requesting the Door-Keeper not to announce "A message from his Excellency the Governor," but "A message from the Executive Department."

The rules were not suspended.

On motion of Mr. W. D. Anderson, the rules were suspended, and a resolution instructing the Committee on Finance to report by Friday, the 24th instant, to this House, a tax bill and appropriation act for the fiscal year 1872, was agreed to.

On motion of Mr. Hall of Upson, chairman of the Committee on Internal Improvements, five hundred copies of the report of the Superintendent of Public Works were ordered to be printed, for the use of the General Assembly.

The report of the Principal Keeper of the Penitentiary, enclosed with a message from the Executive Department, sent to this House on the 14th instant, was, without being read, referred to the Committee on the Penitentiary.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying document.



EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 16, 1871.

*To the Senate and House of Representatives :*

I have the honor to transmit herewith a copy of a communication this day received from the Hon. Columbus Delano, Secretary of the Interior of the United States, in relation to the Agricultural College Land Scrip due this State.

By reference to this communication, it will be seen what character of legislation is required to render this scrip available for the purpose for which it was donated by Congress, and I would respectfully recommend that the necessary measures in reference thereto be promptly adopted by your honorable body.

BENJAMIN CONLEY, *Governor.*

The foregoing message, with the accompanying document, was referred to the Committee on Agriculture and Manufactures.

On motion of Mr. Snead, the rules were suspended and the following Senate bills read the first time :

A bill to require the Ordinaries of the several counties in this State to specify in their orders on the County Treasurers the particular funds out of which said orders ought rightfully to be paid.

A bill to amend section 4428 of the Code of Georgia.

A bill to amend the attachment laws of this State.

A bill to provide for the payment of the debt of Clarke county

A bill to alter and amend and add to the law of arson in this State.

A bill to allow plaintiffs in error to recover damages in certain cases.

A bill to change the county site of Clarke county from Watkinsville to Athens, and for other purposes.

A bill to regulate the practice of dentistry in this State.

A bill to repeal an act to organize the District Court, and define its jurisdiction, and for other purposes.

A bill to repeal an act to make permanent the site of the public buildings of Heard county, and to incorporate the town of Franklin.

A bill to amend an act to prescribe the practice in cases of injunction and other extraordinary remedies in equity, and the manner of taking judgments on the same to the Supreme Court.

A bill to amend an act to incorporate the town of Hawkinsville, in the county of Pulaski.

A bill to alter and amend section 649 of the Code.

A bill to confer additional powers upon the corporate authorities of the town of Barnesville, in the county of Pike.

A bill to repeal the usury laws of this State, and to fix the rate of interest in cases where the contracting parties do not fix the same in writing.

A bill to repeal an act to amend an act, assented to August 27, 1870.

A bill to incorporate the Savannah & Thunderbolt Railroad Company

A bill to repeal and alter the punishment prescribed in the following sections of the Code of Georgia, to-wit : 4276, 4278, 4279, 4290, 4303, 4307, 4335, 4345, 4348, 4349, 4350, 4351, 4353, 4368, 4372, 4373, 4403, 4408, 4411, and 4412.

A bill to amend an act to open and construct a railroad from Athens, Georgia, via Clarksville, in Habersham county, to some point on the Blue Ridge Railroad, by the most practicable route.

A bill to change the time of holding the Superior Court of Talbot county.

A bill to amend an act to create a Board of Commissioners for the county of Glynn, so as to make it apply to the county of Baker.

A bill to incorporate the Chattahoochee Manufacturing Company

A bill to prescribe for suits against joint obligors in the City Court of Savannah.

A bill to amend section 4779 of the Revised Code.

A bill to provide for the mode of filling vacancies in the office of Ordinary, which may now or hereafter exist in the several counties of this State.

A bill to incorporate the town of Eastman, and to repeal all previous acts incorporating the same.

A bill to amend an act to amend section 2741 of the Code of Georgia.

A bill to create a Board of Commissioners of Roads and Revenue, in the county of Dawson.

A bill to repeal an act to provide for an election, and to alter and amend the laws in relation to the holding of elections, assented to October 3, 1870.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bill of the House of Representatives, with an amendment, in which they ask the concurrence of the House of Representatives. to-wit:

A bill to amend an act to authorize the Mayor and Council of Rome to subscribe stock in the Memphis Branch Railroad, and for other purposes.

Mr. Hoge, chairman of the Judiciary Committee, submitted the following report:

*Mr. Speaker:*

The Judiciary Committee, to whom was referred a bill to be entitled an act to regulate the return and trial of causes at law and in equity in the Superior Courts, and for other purposes, has had the same under consideration and recommend that it do not pass.

Also, a bill to be entitled an act to amend section 2261 of Irwin's Revised Code, the committee recommend do not pass.

Also, a bill to be entitled an act to protect human life, the committee recommend do not pass.

Also, a bill to be entitled an act to re-establish the vendor's lien, the committee recommend do not pass.

Also, a bill to be entitled an act to more effectually prevent the carrying of concealed weapons, the committee recommend do not pass.

Also, a bill to be entitled an act to alter and amend section 3895 of Irwin's Revised Code, and the committee recommend that this bill do pass.

Also, a bill to be entitled an act to make it legal for Sheriffs, Coroners, and other levying officers to sell certain kinds of personal property without exposing the same before the court-house door at the time of sale, the committee recommend do pass.

Also, a bill to be entitled an act to repeal an act to organize courts in the Senatorial Districts of this State, approved October 28, 1870, the committee recommend do not pass.

E. F. HOGE, *Chairman*.

Mr. Fain, chairman of the Committee on New Counties and County Lines, submitted to following report:

*Mr Speaker :*

The Committee on New Counties and County Lines have had under consideration the following bills, to-wit :

A bill to be entitled an act to change the line between the counties of Upson and Pike, and for other purposes, which they recommend do pass.

Also, a bill to be entitled an act to change the line between the counties of Lee and Terrell, which they recommend do not pass.

Also, a bill to be entitled an act to change the boundaries of Glynn, Wayne and Camden counties, which they recommend do not pass.

Also, a bill to be entitled an act to change the county

site of Macon county, which they recommend do not pass.

Also, a bill to be entitled an act to change the lines between the counties of DeKalb and Gwinnett, which they recommend do pass, as amended.

J. C. FAIX, *Chairman*.

On motion, the Senate resolution for the appointment of certain persons commissioners to vote the stock of the State in the Atlantic & Gulf Railroad, was taken up.

Mr. Hunter moved to amend by adding the name of the Hon. William B. Bennett, of the county of Brooks, which motion prevailed, and the resolution, as thus amended, was concurred in.

The Senate resolution, in relation to the public printing of this State, was taken up.

Mr. Simmons of Gwinnett moved that the same be concurred in.

The yeas and nays were called for.

Those voting in the affirmative are Messrs.—

Anderson, Wm. P.	Franklin,	Mansfield,
Bacon,	Glover,	Martin,
Baker of Bryan,	Goldsmith,	McNeal,
Bateman,	Goodman,	Moreland,
Beaseley,	Hall of Meriwether,	Morris,
Bell,	Hall of Upson,	Nutting,
Bowie,	Hammond,	Paulk,
Braddy,	Harvey,	Payne,
Bush,	Head,	Pierce,
Clark of Richmond,	Heidt,	Renfroe,
Cloud,	Hoge,	Richards,
Cody,	Howell,	Russell,
Collins,	Hughes,	Sellers,
Converse,	Hunter,	Simmons of Gwinnett,
Crittenden,	Jackson,	Snead,
Dell,	Jones of Gwinnett,	Spence,
Emerson,	Kelly,	Taylor,
Etheridge,	Kennedy,	Wilson,
Farmer,	Lamkin,	Wynn.
Flynt,	Mann,	

Those voting in the negative are Messrs.—

Allred,	Gray,	Patillo,
Anderson, Wm. D.	Griffin of Houston,	Paxton,
Atkinson,	Griffin of Twiggs,	Peeples,
Baker of Pike,	Guyton,	Pentecost,
Ballanger,	Hancock,	Pou,
Battle,	Hendley,	Putney,
Blue,	Hillyer,	Rawls,
Brawner,	Hooks,	Reid,
Brewton of Tatnall,	Hudson,	Richardson,
Bruton of Decatur,	Jenkins,	Riley,
Brown,	Johnson of Clay,	Roundtree,
Bryan,	Joiner,	Rutherford,
Bunn,	Killian,	Sargent,
Campbell,	Lang,	Scott,
Cato,	Lewis,	Simmons of Houston,
Chastain,	McConnell,	Smith of Coweta,
Cleghorn,	McMillan,	Smith of Oglethorpe,
Clower,	McWhorter,	Summers,
Colby,	Meadows,	Tarver,
Cox,	Morrison,	Trammell,
Craig,	Murphy of Burke,	Watters,
Davis of Newton,	Murphy of Harris,	West,
Dukes,	Netherland,	Whatley,
Fain,	Oliver,	Wofford of Bartow,
Field,	O'Neal,	Wood,
Floyd,	Ormond,	Woodward.

Yeas, 50. Nays, 80.

So the resolution was not concurred in.

Leave of absence was granted to Messrs. Brady, Braddy, Beasely, Bunn, Knowles, Wood, Emerson, Johnson of Jefferson, and Woodward.

The House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Friday, November 17, 1871.

The House met pursuant to adjournment, was called to order by the Hon. Joseph B. Cumming, Speaker

*pro tem.*, and opened with prayer by the Hon. Mr. Heidt.

The Journal of yesterday was read and approved.

Leave of absence was granted to the Speaker, on account of indisposition, and to Mr. Moreland, on account of sickness in his family

On motion of Mr. Pierce, the rules were suspended, and the Senate bill to change the county site of Clarke county from Watkinsville to Athens, and for other purposes, was read the second time.

Mr. Hunter moved to refer the same to a special committee of three.

Mr. Pierce moved as a substitute, that said bill, with all accompanying memorials, be referred to the Committee on Petitions and Memorials, which motion prevailed.

On motion of Mr. Johnson of Clay, the rules were suspended, and the bill for the relief of O. P. Anthony, Tax Collector of Clay county, read the second time and referred to the Committee on Finance.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bill, which I am directed to transmit forthwith to the House of Representatives, to-wit:

A bill to repeal an act to create the Allapaha Judicial Circuit, and for other purposes.

The special order of the day, the same being the report of the Committee on the Judiciary, in relation to the Spalding county contested election, was taken up.

Mr. Hoge, chairman of the Judiciary Committee, submitted the following report:

*Mr Speaker:*

The Judiciary Committee have had under considera-

tion a number of bills referred thereto, and I am instructed to report as follows:

A bill to be entitled an act to provide for the election of a Governor, the committee recommend do not pass.

A bill to be entitled an act to provide for certain sales with right of redemption by the vendor, and to fix a penalty for illegal acts done in connection with and pursuance of said sales, and for other purposes, the committee recommend do not pass.

For a bill to be entitled an act to amend section 632 of Irwin's Revised Code, and to allow the Coroner certain fees unprovided for by law, and for other purposes, the committee offers a substitute, and recommend that it do pass.

A bill to be entitled an act to amend section 2261 of Irwin's Revised Code in relation to a lien of landlords on the crops of their tenants, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to repeal the twenty-second section of an act entitled an act for raising a revenue for the year 1869, and to appropriate money for the use of the government during said year, and to make certain special appropriations, and for other purposes, approved March 19, 1869, the committee recommend do not pass.

The committee also took under consideration the question submitted, touching the contested election from the county of Spalding, and being unable to agree upon a report, in the limited time that could be devoted to it, asks further time.

E. F. HOGE, *Chairman*.

On motion, the request of the committee was granted, and said contested election made the special order for Tuesday next, 21st instant.

Mr. Hughes offered a resolution that John Burnett, jr., be appointed to receive and distribute the mail for members of this House, which was lost.



Mr. W. D. Anderson offered a resolution that two hundred copies of the report of the State Board of Education be printed for the use of this House, which was agreed to.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Specker:*

His Excellency the Governor has approved and signed the following resolutions, to-wit:

A resolution requiring officers and agents of the Western & Atlantic Railroad to pay into the State Treasury sums of money in their hands.

A resolution to consolidate the Committees of Agriculture and Manufactures of each House.

On motion of Mr. Payne, the regular order of business, the same being the call of the counties for the introduction of new matter, was suspended, and the following House bills read the second time, and referred to the Committee on the Judiciary

A bill to amend the charter of the city of Atlanta, by providing for the election of a Recorder and Auditor, and to prescribe their duties.

A bill to authorize Clerks of the Superior Courts in the counties of Lowndes, Coffee, Echols, Clinch and Ware, to issue writs that shall bear test in the names of J. R. Alexander and W. M. Sessions.

A bill to prescribe the manner in which official bonds and bonds in legal proceedings shall be taken and approved by Clerks, Sheriffs, Ordinaries and other officers.

A bill to establish a City Court in the city of Atlanta.

A bill to change the time of holding the Superior Court of Camden county.

A bill to repeal so much of section 699 of Irwin's Code as exempts from road duty teachers and students

of colleges and schools, keepers of public grist mills, public ferrymen, keepers of toll bridges, turnpikes, causeways and plank roads, engineers and persons in charge of cars and trains running on railroads, and for other purposes.

A bill to make it unlawful for any person to sell property incumbered by mortgage or lien, without giving to the purchaser express notice of the existence of such mortgage or lien.

A bill to amend section 3151 of the Code.

A bill to repeal the first and second sections and to alter and amend the third section of an act to prescribe the practice in cases of injunction and other extraordinary remedies in equity, and the manner of taking judgments on the same to the Supreme Court.

A bill to extend the right to unite parties in matrimony to all practicing attorneys in this State.

A bill to protect public roads in Thomas county

A bill to prohibit the ordinances and laws of the city of Darien from conflicting with the interests and rights of parties shipping timber to said port.

A bill to amend the laws of this State in relation to garnishment.

A bill to create and organize a new Judicial Circuit out of the counties composing the Southern, Macon and Middle Circuits, to provide for the appointment of a Judge therein, and for other purposes.

A bill to add the counties of Clinch, Echols and Lowndes, of the Allapaha Circuit, to the Southern Judicial Circuit, and fix the times of holding the Superior Courts in the last named Circuit.

A bill to require the owners of lands situate in the county of Charlton, to return and pay the taxes thereon in said county

A bill to amend article seven, section two of the Constitution of the State of Georgia, upon a two-third vote of the present and next succeeding Legislature, and ratification by the qualified voters of this State.

A bill to require the owners of lands in the county

of Clinch, to return and pay taxes thereon in said county

A bill to legalize the adjournment of the Superior Court of Elbert county.

A bill to change the time of holding the Superior Courts in the counties of Elbert and Hart.

A bill to regulate the fees of Solicitors General in the Supreme Court.

A bill to empower the Judges of the Superior Courts of this State to appoint auditors in cases pending at law.

A bill to authorize the reception of depositions during the vacation of the courts, from postmasters and others.

A bill to amend the laws in reference to wills made in another State, territory or foreign country

A bill to amend the laws respecting nuncupative wills.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the following resolution of the House of Representatives, with an amendment, in which they ask the concurrence of the House of Representatives, to-wit:

A resolution in relation to the public printing of this State.

On motion of Mr. McMillan, the rules were suspended, the resolution taken up, and the Senate amendment concurred in.

The following bills were read the second time, and referred to the Committee on Finance.

A bill to repeal an act to authorize payment of costs to the officers of court of Bartow county

A bill to authorize the Tax Collector of Cherokee

county to pay over to the Ordinary of said county the State tax for the year 1871, to aid in building a courthouse in said county.

A bill to appropriate certain moneys for the compensation and reimbursement of Samuel Weil, Esq., Foreign Commissioner of Immigration.

A bill to increase the pay of jurors, and for other purposes.

A bill to provide for the levying and collecting of a tax for the payment of bills of insolvent costs due B. L. Cole and William H. Bulloch, late Sheriff and Clerk of the Superior Court of Chatham county

A bill to increase the pay of grand and traverse jurors in the county of Troup.

A bill to authorize the Tax Collector of Butts county to pay the Ordinary of said county the taxes, except special taxes, for the year 1871, for building a courthouse in said county.

A bill to create a Board of Assessors in each county of this State.

A bill to regulate the pay of grand and petit jurors in Cobb county

A bill to direct the Tax Collector of Cobb county to pay to the Ordinary of said county the taxes of 1871, for certain purposes.

A bill to authorize and require the Tax Collector of Dawson county to pay over to the Treasurer of said county the State tax for the year 1871, for rebuilding the jail of said county.

A bill to alter and amend section 178 of the Code.

A bill to establish a lien in favor of physicians and school teachers on cotton, corn, wheat and other crops, owned or raised by those for whom they practice medicine or teach school.

The following bills were read the second time, and referred to the Committee on New Counties and County Lines:

A bill to change the line between the counties of Clay and Calhoun.

A bill to change the line between the counties of Walker and Dade.

A bill to change the line between the counties of Coffee and Ware, so as to include the residence of Merritt Meeks in Coffee county

The following bills were read the second time, and referred to the Committee on Agriculture and Manufactures :

A bill to levy and collect a tax from the owners of dogs in this State, and prescribe a penalty in case of failure or neglect to give in and pay said tax.

A bill to prohibit and make penal the sale or purchase of agricultural products between the hours of sunset and sunrise.

The following bills were read the second time, and referred to the Committee on Education :

A bill to establish a permanent Board of Education and Orphanage, for the county of Bibb, and to incorporate the same.

A bill to repeal an act to establish a system of public instruction.

The following bills were read the second time, and referred to the Committee on Corporations :

A bill to authorize the Ordinary of Cobb county to issue bonds, etc.

A bill to incorporate the town of Sharpsburg, in the county of Coweta.

A bill to alter and amend section three of an act to alter and amend an act to extend and define the corporate limits of the town of Newnan, and for other purposes, approved March 6, 1865.

A bill to amend the acts incorporating the village of Cave Spring, in the county of Floyd.

A bill to incorporate the town of Whitney.

A bill to repeal an act prohibiting the leasing or hiring of penitentiary convicts was read the second time, and referred to the Committee on the Penitentiary.

A bill to amend an act incorporating the Atlantic & Great Western Canal Company, was read the second time, and referred to the Committee on Internal Improvements.

The following bills were read the second time and referred to the Committee on Banks :

A bill to repeal certain sections of an act to charter the Georgia Mutual Fire & Life Insurance Company, and the several acts amendatory thereof.

A bill to incorporate the Commercial Bank of Albany

The following bills were read the second time, and committed :

A bill to authorize the Ordinary of Campbell county to issue county bonds.

A bill to repeal a part of section eight of an act to incorporate the town of Preston, in the county of Webster.

A bill to amend the charter of the town of Acworth, in the county of Cobb.

The following bills were read the second time and ordered to be engrossed :

A bill to increase the pay of jurors of Bartow county

A bill to change the time for the holding of the Superior Court in the county of Catoosa.

A bill to change the time of holding the Superior Court in Campbell county

A bill to alter and amend the road laws of this State so far as relates to the county of Dawson.

On motion of Mr. Cleghorn the rules were suspended, and a bill to amend an act to incorporate the Lookout

Mountain Railroad Company, and extend the aid of the State to the same, was read the first time.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bill by a constitutional majority of yeas 27, nays 6, to-wit:

A bill to incorporate the Mechanics' & Traders' Bank of Georgia.

The Senate has also agreed to a resolution appoint in a joint committee to inquire into what legislation is necessary in regard to "fence laws," and have appointed as such committee on the part of the Senate, Messrs. Hinton, Hoyle, Jervis, Cone and Anderson.

The Senate has also passed the following bills of the House of Representatives:

A bill to abolish to City Court of Macon, and to repeal all laws organizing the same.

Also, a bill to authorize the revision of the jury-box of the county of Cherokee, with certain amendments, in which they ask the concurrence of the House of Representatives.

The Senate has also concurred in a resolution of the House of Representatives to appoint a committee of two from the Senate and three from the House of Representatives, to examine and report upon a codification of the laws applicable to Justices of the Peace, prepared by S. C. McDaniel, and have appointed as such committee on the part of the Senate, Messrs. Nunnally and Wellborn.

Mr. McMillan, chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment report as duly en-

rolled and ready for the signature of the Speaker of the House of Representatives, the following resolution:

*Resolved*, That a joint committee be appointed for a codification of the laws of this State, applicable to Justices of the Peace and Justices' Courts.

GARNETT McMILLAN,  
*Chairman of Enrolling Committee.*

Leave of absence was granted to Messrs. Glover, Bell, Hudson, McWhorter, Hall of Upson, Rawls, Brawner, Hancock, Smith of Coweta, and Jackson.

Mr. Phillips, chairman of the Committee on Privileges and Elections, submitted the following report:

*Mr Speaker:*

The Committee on Privileges and Elections, beg leave to report that they have had under consideration a resolution directing us to inquire into the election returns from the county of Calhoun, and respectfully submit that, after carefully examining the returns and the evidence, we find that an election was held at Morgan, the only precinct in said county, on the 20th, 21st and 22d days of December, according to the act approved October 3, 1870; that on the night of the 22d, after the closing of the polls, the managers counted out 275 votes; that W. G. Pierce received 206 votes, and that L. L. Boynton received 63 votes of the number counted, and there were 999 votes polled during the three days; and after the number had been counted as aforesaid, on the night aforesaid, the managers deposited the ballot box, with all the papers, in the grand jury room, and locked the door; but on returning, the morning of the 23d, the fact was ascertained that the ballot box, tally sheets and ballots had all been stolen and carried away from the court-house, and destroyed or concealed. Your committee, therefore, believing, under the law, that full legal returns had not been made by the managers from said county, because of a failure



to ascertain who received the highest number of all the votes cast, recommend that a new election be ordered in said county, according to law, in such cases made and provided.

R. W. PHILLIPS, *Chairman*.

Mr. Rawls moved to take up and adopt the report of the committee.

The hour of one o'clock P. M. having arrived, the session was, on motion, extended fifteen minutes.

Pending action on the report, the House, on motion, adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Saturday, November 18, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, *pro tem.*, and opened with prayer by Rev. Mr. Cox.

The Journal of yesterday was read and approved.

Leave of absence was granted to the Speaker on account of continued indisposition, and to Mr. Baker of Bryan, for a few days, after to-day, on special business.

On motion of Mr. Hall of Meriwether, the rules were suspended, and the Senate bill to repeal the usury laws of this State, and to fix the rate of interest in cases where contracting parties do not fix the same in writing, was taken up, read the second time, and referred to the Committee on the Judiciary.

On motion of Mr. Richards, the rules were suspended, and the House bill to authorize the revision of the jury-box in the county of Cherokee, was taken up, and the Senate amendments thereto concurred in.

The House took up the unfinished business of yesterday, the same being the report of the Committee on Privileges and Elections in reference to the election in Calhoun county

Mr. Bacon offered as a substitute for the report of the committee, a resolution that the Calhoun county election case be referred back to the Committee on Privileges and Elections, and the claimant of the seat be allowed two weeks from this date to complete his proof.

Mr. Richards called the previous question, and the call was sustained.

Mr. Bacon's substitute was lost, and the report of the committee adopted.

On motion of Mr. Wofford of Bartow, the Senate resolution in relation to appointing a select joint committee to report upon a bill to apportion representatives of the General Assembly, was taken up.

Mr. Hunter moved to amend the resolution by providing that said committee may inquire into the present arrangement of the Senatorial Districts in this State, and report by bill or otherwise, any changes they may deem necessary.

This motion prevailed, and the Senate resolution, as thus amended, was concurred in.

Mr. Rawls, chairman of the Committee on Finance, submitted the following report, to-wit:

*Mr Speaker:*

The Committee on Finance, beg leave to report that they have considered the number and pay of the pages and employees of this House, and have instructed me to report a resolution employing four pages at two dollars per diem each; one man to clean and keep this hall in good condition, five dollars per diem; one man to take charge of the gallery at five dollars per diem; one man to clean the gallery at two dollars per diem,

and one man to attend to the committee rooms at two dollars per diem.

MORGAN RAWLS,  
*Chairman Finance Committee.*

On motion of Mr. Rawls, a resolution in conformity with the foregoing report, was read and agreed to.

The following bills were read the third time and lost:

A bill to require defendants in actions for the recovery of real estate to file an abstract of the title on which they rely

A bill to change the line between the counties of Lee and Terrell.

A bill to alter and amend the road laws of this State.

This bill had been referred to the Committee on the Judiciary, who recommended that the same do not pass.

The question being upon agreeing to the report of the committee, the yeas and nays were called for, and the call sustained.

Those voting in the affirmative are Messrs.—

Allred,	Davis of Clarke,	Mansfield,
Anderson, Wm. D.	Edwards,	Martin,
Anderson, Wm. P	Floyd,	Mattox,
Atkinson,	Flynt,	McConnell,
Bacon,	Franklin,	McNeal,
Battle,	Goldsmith,	Meadows,
Berrien,	Goodman,	Murphy of Burke,
Blue,	Graham,	Oliver,
Bowie,	Griffin of Houston,	O'Neal,
Bruton of Decatur,	Griffin of Twiggs,	Ormond,
Brown,	Guerry,	Peeples,
Bryan,	Hall of Meriwether,	Pou,
Bush,	Harvey,	Richards,
Campbell,	Hillyer,	Riley,
Chastain,	Hoge,	Roundtree,
Clark of Richmond,	Howell,	Sellers,
Cloud,	Hooks,	Simmons of Gwinnett,
Clower,	Joiner,	Simmons of Houston,
Cody,	Jones of Macon,	West,
Colby,	Jones of Terrell,	Whatley,
Collins,	Killian,	Williams,
Crittenden,	Lang,	Wofford of Bartow.
Davenport,	Lewis,	

Those voting in the negative are Messrs.—

Baker of Bryan,	Hendley,	Pierce,
Baker of Pike,	Hughes,	Rawls,
Ballanger,	Hunter,	Reid,
Brewton of Tatnall,	Jenkins,	Russell,
Cato,	Johnson of Clay,	Rutherford,
Chancey,	Jones of Gwinnett,	Sargent,
Clark of Troup,	Kennedy,	Simmons of Hall,
Cox,	Knowles,	Slaton,
Craig,	Lamkin,	Smith of Oglethorpe,
Davis of Newton,	Mann,	Snead,
Dell,	McMillan,	Spence,
Etheridge,	Morrison,	Stovall,
Field,	Netherland,	Tarver,
Gray,	Palmer,	Taylor,
Guyton,	Patillo,	Watters,
Hammond,	Paxton,	Wilson,
Head,	Pentecost,	Wynn.
Heidt,	Phillips,	

Yeas, 72. Nays, 49.

So the report of the committee was agreed to, and the bill was lost.

The following bills were also read the third time and lost:

A bill to repeal an act to organize the District Court and to define its jurisdiction, and for other purposes.

A bill to repeal an act entitled an act to repeal an act to organize a Criminal Court for each county in this State, and the several acts amendatory thereof.

A bill to confer certain privileges on John T. Whitsett, of the county of Lee.

A bill to repeal an act to organize the District Court so far as relates to the Twenty-Ninth Senatorial district.

A bill to repeal the twenty-second section of an act for raising a revenue for the political year 1869, etc., approved March 19, 1869.

A bill to prescribe the punishment for playing and betting at cards.

A bill to repeal an act entitled an act to organize the District Court, and for other purposes.

On motion of Mr. Phillips, the rules were suspended, and a resolution that the Treasurer be instructed to pay the Assistant Door-Keepers and Assistant Messenger of the House the sum of five dollars per day for services rendered, was read and agreed to.

The following bills were read the third time and passed:

A bill to amend an act to authorize the Mayor and Council of the city of Atlanta to provide for the introduction of water-works into said city

A bill to authorize the payment of ten per cent. interest on one hundred bonds of one thousand dollars each by the Scofield Rolling Mill Company.

A substitute reported by the Judiciary Committee for a bill to authorize a counter-showing to a motion for a continuance in the courts of this State.

A bill to authorize the Mayor and Council of the city of Cuthbert to issue bonds for educational purposes, and to assess and collect taxes to pay the same.

A bill to increase the pay of jurors for the county of Randolph.

A bill to fix the time for holding the Superior Court for Charlton county.

A bill to exempt firemen from jury duty, was passed, as amended by the report of the Committee on the Judiciary.

A bill to compensate physicians for medical services rendered to paupers in this State, was read the third time.

Mr. Lang moved to amend by enacting that the provisions of this bill shall apply and be of force in the county of Lincoln only.

Messrs. Etheridge, Patillo, Sargent, Simmons of Hall, Goldsmith, Clark of Troup, O'Neal, and Stovall, moved to amend by including respectively the counties of Putnam, Harris, Coweta, Hall, DeKalb, Troup, Baldwin, and McDuffie, which amendments were accepted by Mr. Lang, and the bill as thus amended, was passed.

A bill to alter amend section 2267 of Irwin's Revised Code, was read the third time.

Mr. Pou, who introduced the same, requested permission to withdraw it, which was granted.

A bill to repeal an act entitled an act to change the county of Glascock from the Northern to the Middle Judicial Circuit, was read the third time.

The Committee on the Judiciary had recommended that this bill do pass.

On motion of Mr. Pou, the report of the committee was laid on the table.

On motion of Mr. Hoge, the rules were suspended, and the Senate bill to repeal the twentieth section of an act approved October 25, 1870, was read the second time and committed.

The following bills were read the third time and indefinitely postponed:

A bill to repeal an act to organize the District Court and define its jurisdiction, approved October 28, 1870,

A bill to order a special election for a Governor of this State.

A bill to amend section 3687 of the Code was read the third time and recommitted to the Committee on the Judiciary

A bill to authorize the Tax Collector of Gwinnett county to pay over to the Ordinary of said county the State tax for the year 1871, was read and laid on the table.

Mr. Simmons of Gwinnett gave notice that he would move to reconsider this action of the House, on Monday next.

On motion, the rules were suspended, and the following bills read the first time:

By Mr. Simmons of Hall—

A bill to incorporate the Georgia Diamond Mining Company.

By Mr. Murphy of Burke—

A bill to incorporate the town of Lawtonville.

A bill to provide for the election of a Governor was read the third time and laid on the table.

Mr. Phillips offered a resolution that the Committee on Privileges and Elections be empowered to send for persons and papers in any case before them, whenever they deem it necessary, which, with his consent, was laid on the table for the present.

Mr. McMillan, chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker :*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit:

A bill to abolish the City Court of the city of Macon, and to repeal an act entitled an act to create and organize the City Court of the city of Macon, to define the jurisdiction thereof, and for other purposes, approved October 26, 1870, and for other purposes.

Also, a resolution instructing the joint Committee on Finance of both Houses to proceed forthwith to investigate all matters touching the transactions in bonds, moneys and other securities of the State of Georgia, between Rufus B. Bullock, Henry Clews & Co., the National Bank of Atlanta, and other parties, with power to send for persons and papers.

Also, a bill to be entitled an act to authorize the revision of the jury-box in the counties of Cherokee, Twiggs and Fulton.

GARNETT McMILLAN, *Chairman*.

The Speaker *pro tem.* announced the following gentlemen as members, from the House, of the joint committee to examine and report upon a codification of the laws relating to Justices of the Peace and their courts,

prepared by S. C. McDaniel: Messrs. Bryan, W. D. Anderson, and Netherland.

Also, the following gentlemen as additional members of the Committee on Agriculture and Manufactures: Messrs. Nutting, Bowie, and Sargent.

Leave of absence was granted Messrs. Cloud, Guerry, Joiner, and Dukes.

On motion of Mr. Simmons of Hall, the House adjourned until one minute after 10 o'clock A. M. on Monday next.

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ATLANTA, GEORGIA,  
Monday, November 20, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Rev. Mr. Cox.

The Journal of Saturday was read and approved.

Mr. Crittenden moved to reconsider so much of the Journal of Saturday as relates to the adoption of the report of the Committee on Privileges and Elections, declaring there had been no legal election for Representative in the county of Calhoun, which motion did not prevail.

Mr. Lipsey moved to reconsider so much of said Journal as relates to the loss of a bill for the relief of John T. Whitsett, of the county of Lee, which motion was lost.

Mr. Pierce moved to reconsider so much of said Journal as relates to the passage of a bill to compensate physicians for medical services rendered to paupers in this State, which motion prevailed.

Mr. Simmons of Gwinnett, moved to reconsider so much of said Journal as relates to the loss of a bill to authorize the Tax Collector of Gwinnett county to pay



over to the Ordinary of said county the State tax for the year 1871, which motion prevailed.

Mr. Craig moved to reconsider so much of said Journal as relates to the loss of a bill to alter and amend the road laws of this State, after the reading of the Journal had been finished.

The Speaker ruled this motion out of order, the gentleman having failed to give notice of a motion to reconsider, while the Journal was being read.

Mr. Hunter moved to suspend the rules for the purpose of allowing the motion to reconsider to be made.

Mr. W. D. Anderson rose to a point of order, to-wit: that the rules could not be suspended so as to reconsider any matter which had been finally acted upon by the House, unless the notice had been given under the rules.

The Speaker ruled the point well taken, but stated that by unanimous consent, the loss of the bill might be reconsidered.

There being no objection, the motion to reconsider prevailed.

On motion of Mr. McMillan, the rules were suspended and a resolution instructing the joint Committees on Finance to report to their respective houses by to-morrow morning, with such recommendations as they may make, the several bills referred to them in relation to the pay and mileage of the offices and members of the General Assembly, and that they report a special bill on this subject, was taken up and agreed to.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has agreed to the following resolution, to-wit:

A resolution appointing a special joint committee to inquire into certain matters connected with the Execu-

tive Mansion, and have appointed as such committee, on the part of the Senate, Messrs. Mathews and Clark.

The House took up the special order for the day, the same being the bill to appoint commissioners to investigate the affairs of this State, with the amendments thereto, reported by the Committee on the Judiciary.

Mr. Phillips offered, as a substitute, a preamble and resolutions providing for the appointment of a joint committee of three from the Senate, and seven from the House, to make a thorough investigation into all departments of the government of this State, and report thereon to this General Assembly at its next session.

Mr. Simmons of Gwinnett offered, as a substitute for the whole, a preamble and resolution providing for the appointment of a joint committee of two from the Senate and five from the House, to make such investigation, and report thereon to this General Assembly at its next session.

The Speaker ruled that this substitute could not be submitted to the House until the report of the Committee on the Judiciary, recommending amendments to the bill, or the substitute of Mr. Phillips, one or the other, was disposed of.

The substitute of Mr. Simmons was read for the information of the House.

Mr. McMillan gave notice, that in the event of the passage of the bill, he would offer a resolution that each member of the House who voted for said resolution, shall give a check for the sum of one hundred dollars on the Treasurer, to be reserved out of his per diem pay, to be used in paying the commissioners appointed under said bill for their services, etc., which resolution was read for the information of the House.

Pending action on the bill before the House, the amendments thereto, and the substitute of Mr. Phillips, the hour of adjournment arrived.

Mr. Heidt moved that the House adjourn to meet again at 3 o'clock P. M. to-day   Lost.

Mr. Snead moved that the session be extended thirty minutes. This motion was also lost.

Leave of absence was granted to Messrs. Taylor, Lipsey, Flynt, Bateman, Howell, and Ormond; and to the Door-Keeper, Mr. Born.

The Speaker declared the House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Tuesday, November 21, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Hon. Mr. Heidt.

The Journal of yesterday was read and approved.

On motion, the rules were suspended, and the following bills, introduced by Mr. Renfroe, read the first time:

A bill to change the time of holding the Superior Courts in the counties of the Middle Circuit in this State.

Also, a bill to alter and amend the several acts incorporating the town of Sandersville, and confer upon said town a municipal government, with all the rights and privileges usually enjoyed by cities in Georgia.

On motion of Mr. Gray, the rules were suspended, and resolution to inquire into the lease of the Penitentiary convicts to Grant, Alexander & Co., was taken up.

Mr. Goldsmith moved to lay the resolution on the table, which motion prevailed.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bills:

A bill to prescribe the manner of incorporating documentary evidence in bills of exceptions.

Also, a bill to amend an act authorizing the Ordinary of Lumpkin county to issue bonds.

Also, a bill to compensate Ordinaries, Sheriffs and Clerks of the Superior Courts for certain services.

Also, a bill to make certified extracts from the records of railroad companies and banks, evidence in certain cases.

Also, a bill to provide for taking bonds of public officers and qualifying them.

Also, a bill to alter and amend section 3646 of the Code.

Also, a bill to merge the jurisdiction of courts of law and equity in this State.

Also, a bill to make it a penal offense to sell liquor to minors, without written consent.

Also, a bill to enforce fifth article, twelfth section, second paragraph of the Constitution.

Also, a bill to require the Clerks of the Superior Courts to provide blanks with printed instructions, for taking interrogatories.

Also, a bill to regulate the practice of courts in trials for felonies.

Also, a bill to amend an act to provide for setting apart a homestead.

Also, a bill to incorporate the LaGrange & Barnesville Railroad Company.

Also, a bill to require Judges of the Superior Courts to give in charge section 1436 of the Code.

Also, a bill to amend an act to incorporate the Albany & Columbus Railroad Company

Also, a bill to relieve joint debtors by judgment.

Also, a bill to legalize the subscription of Indian Springs to the Griffin, Monticello & Madison Railroad Company

Also, a bill to amend an act to incorporate the Wilmington Railroad Company.

Also, a bill to legalize the subscription of Madison

to the Griffin, Monticello & Madison Railroad Company.

Also, a bill to more effectually punish certain acts of violence.

Also, a bill to authorize the appointment of an auditor in cases of law and equity

Also, a bill to amend an act incorporating the Evergreen Cemetery of Bonaventure.

Also, a bill to assist the Georgia Infirmary

The Senate has also passed the following bills of the House of Representatives, to-wit:

A bill to incorporate the Excelsior Slate Mining Company, and for other purposes.

Also, a bill to incorporate the Van Wert Slate Mining Company.

Also, a bill to change the time of holding the Superior Courts of the counties of Columbia and McDuffie.

The Senate has also agreed to a resolution requesting the joint Finance Committee to report a bill in relation to per diem of members and officers of the General Assembly, in which they ask the concurrence of the House of Representatives.

The House took up the unfinished business of yesterday, the same being the bill to appoint commissioners to investigate the affairs of this State.

Mr. Jackson called the previous question, and the call was not sustained.

Mr. Phillips accepted as an amendment to his substitute so much of the resolution offered by Mr. Simons of Gwinnett, as provides that nothing in said substitute contained shall prevent the committee appointed under the resolution, from beginning the investigation provided for, before the adjournment of the General Assembly, and reporting at once to the same, any information of importance thereby developed.

Pending action, the hour of 1 o'clock P. M. arrived.

Mr. Heidt moved that the session be extended thirty minutes, which motion prevailed.

Mr. Riley called the previous question on the substitute of Mr. Phillips, and the call was sustained.

Mr. W. D. Anderson called for the yeas and nays, and the call was sustained.

Those voting in the affirmative are Messrs.—

Allred,	Franklin,	Morrison,
Anderson, Wm. P.	Goldsmith,	Murphy of Burke,
Atkinson,	Goodman,	Murphy of Harris,
Bacon,	Graham,	Netherland,
Barksdale,	Gray,	Nutting,
Barron,	Griffin of Houston,	Oliver,
Battle,	Griffin of Twiggs,	O'Neal,
Berrien,	Guyton,	Palmer,
Blue,	Hall of Meriwether,	Patillo,
Booth,	Hall of Upson,	Paulk,
Bowie,	Hammond,	Paxton,
Brewton of Tatnall,	Harvey,	Payne,
Bruton of Decatur,	Head,	Pentecost,
Brown,	Heidt,	Phillips,
Bryan,	Hendley,	Pierce,
Bunn,	Hillyer,	Putney,
Bush,	Hoge,	Renfroe,
Butts,	Howell,	Richards,
Campbell,	Hooks,	Richardson,
Carlton,	Hunter,	Riley,
Cato,	Jackson,	Roundtree,
Chancey,	Jenkins,	Russell,
Chastain,	Johnson of Clay,	Rutherford,
Clark of Richmond,	Johnson of Jefferson,	Sellers,
Clark of Troup,	Jones of Gwinnett,	Simmons of Gwinnett,
Clower,	Jones of Macon,	Simmons of Hall,
Cody,	Jones of Terrell,	Simmons of Houston,
Colby,	Kelly,	Slaton,
Collins,	Kennedy,	Smith of Coweta,
Converse,	Lamkin,	Smith of Oglethorpe,
Cox,	Lang,	Snead,
Craig,	Lewis,	Spence,
Crittenden,	Lipsey,	Stovall,
Cumming,	Mann,	Summers,
Davis of Clarke,	Mansfield,	Summerlin,
Dell,	Martin,	Tarver,
Dukes,	Mattox,	Trammell,
Edwards,	McConnell,	Watters,
Emerson,	McMillan,	West,
Etheridge,	McNeal,	Whatley,
Fain,	McWhorter,	Williams,
Farmer,	Meadows,	Wilson,
Field,	Moreland,	Wofford of Banks,
Floyd,	Morris,	Wofford of Bartow.

Those voting in the negative are Messrs. —

Anderson, Wm. D.	Davis of Newton,	Peeples,
Baker of Pike,	Hughes,	Pou,
Ballanger,	Killian,	Scott,
Cleghorn,	Knowles,	Wood.

Yeas, 128. Nays, 12.

So the substitute of Mr. Phillips was adopted in lieu of the bill, and agreed to by the House.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bill, to-wit:

A bill to execute the fifteenth section of the first article of the Constitution of Georgia.

Mr. W. D. Anderson, chairman of the Committee on Corporations, submitted the following report, to-wit:

*Mr Speaker:*

The Committee on Corporations have considered the following bills, to-wit:

A bill to authorize the Ordinary of Cobb county to issue bonds, etc., which they recommend do pass.

A bill to amend the various laws incorporating the town of Newnan, which they recommend do pass.

A bill to incorporate the town of Sharpsburg, in the county of Coweta, which they recommend do pass.

A bill to amend the charter of the town of Cave Spring in the county of Floyd, which they recommend do pass, as amended.

A bill to amend the charter of the town of Acworth, in the county of Cobb, which they recommend do pass, as amended.

WILLIAM D. ANDERSON, *Chairman.*

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report, to-wit:

*Mr Speaker :*

The Committee on Internal Improvements have had under consideration a memorial addressed to the Congress of the United States, in reference to opening water communication, by means of a canal, between the Atlantic and the Mississippi, and recommend that the same do pass.

The committee also recommend the introduction and passage of the resolution herewith submitted, in reference to the appointment of a committee to visit Washington City, and co-operate with our members in Congress, in accomplishing the object set forth in the memorial.

HALL of Upson,  
*Chairman.*

Mr. Goldsmith, chairman of the Committee on the Penitentiary, submitted the following report, to-wit:

*Mr Speaker :*

The Committee on the Penitentiary have had under consideration a bill to repeal an act entitled an act prohibiting the leasing or hiring of Penitentiary convicts, which they recommend do not pass.

Said committee have also requested me to report a joint resolution, requiring Messrs. Grant, Alexander & Co., on three months notice, to turn over to the State, all convicts and property of this State in their possession, and recommend it do pass.

W L. GOLDSMITH,  
*Chairman Committee on Penitentiary.*

Mr. McMillan, chairman of the Committee on Petitions and Memorials, submitted the following reports, to-wit:

*Mr. Speaker :*

The Committee on Petitions and Memorials, to whom was referred the petition of John A. Jones, of Polk county, asking a certain appropriation to indemnify



him against loss by reason of payment of moneys for land heretofore purchased at Sheriff's sale, report:

Your committee are unable to supply facts by conjecture. They report adversely to the petition, as it stands in its defective statement of facts, and recommend that it be not granted.

GARNETT McMILLAN, *Chairman.*

*Mr. Speaker :*

The Committee on Petitions and Memorials, to whom was referred the Senate bill to be entitled an act to change the county site of Clarke county from Watkinsville to Athens, and for other purposes, and certain memorials relating to the same, report:

Your committee have had said several matters under consideration, and recommend that said Senate bill, as passed, be concurred in by the House of Representatives.

GARNETT McMILLAN, *Chairman.*

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr. Speaker :*

I am directed by his Excellency the Governor, to deliver to the House of Representatives, a communication in writing, with accompanying document.

The message was not taken up.

Mr. M. C. Summerlin, Representative elect from the county of Heard, appeared and was sworn in.

Leave of absence was granted to Messrs. Hammond and Ormond.

The Speaker declared the House adjourned until 9 o'clock A. M. to-morrow.

ATLANTA, GEORGIA,  
Wednesday, November 22, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Chaplain.

The Journal of yesterday was read and approved.

On motion of Mr. Heidt, the rules were suspended, and a resolution that no member of this House shall speak over ten minutes on the same subject, except by a two-thirds vote of the same, which was taken up.

Mr. Richardson moved to strike out "ten" and insert "twenty"

Mr. Pou moved to strike out "ten" and insert "fifteen."

The motion of Mr. Richardson was lost, that of Mr. Pou prevailed, and the resolution, as thus amended, was agreed to.

The message from the Executive Department, sent to this House on yesterday, was taken up and read, and is in the following words:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 21, 1871.

*To the House of Representatives :*

I herewith return to your honorable body, in which it originated, the bill entitled "an act to provide for a special election for Governor, to fill the unexpired term of Rufus B. Bullock, late Governor, and for other purposes," with my dissent to the same, and the reasons therefor.

I have not adopted this course without the gravest consideration. As the object of the bill is to fill the unexpired term of Governor Bullock, which, at the time of his resignation, devolved by the Constitution upon myself, my personal pride would impel me promptly to affix my signature to it, since to refuse so to do is to put it in the power of those disposed to

judge harshly, to attribute my action to interested motives. But however much I may feel inclined by giving the bill my assent to repel such imputations, I must in this, as in all my official action, be guided by my judgment rather than my pride.

Indeed it cannot but occur to every thinking man, that, if the Constitution authorizes so unseemly a proceeding as that presented by the bill under consideration, in which the Executive of the State is called upon to sit in solemn judgment upon the question of the propriety or impropriety of terminating his own official existence, the Constitution is in this respect at least anomalous. It is a settled rule, both of law and of common sense, that no man should be compelled or permitted to sit in judgment upon his own rights, not only because the selfishness of human nature leads one to judge in his own favor, but because a proud man would prefer to sacrifice his own rights, rather than subject himself to the suspicions of ungenerous critics. In so important a law as that now proposed, the people are entitled to the free judgment of both the Legislature and the Executive.

Nothing is more carefully guarded against in the Constitution than the happening of a contingency in which a public officer shall become personally interested in the exercise of the duties of his office. If the Governor be impeached, even, the President of the Senate is upon the trial to vacate his seat, since if conviction takes place, he becomes clothed with the functions of the Governor. The Judges of the Supreme Court, if interested in a case before them, are temporarily displaced by Circuit Judges selected by the Governor. If a case arise in which a Judge of the Superior Courts is interested, the law provides that he shall not preside. And generally, by the Constitution and laws, by the rules of legislative bodies and by common consent of all publicists it is, as I have said, a settled rule that no one shall be permitted or compelled to exercise his public functions in a matter directly involving his own

interests. Were the duty imposed a mere ministerial one, in which I was called upon simply to do an act, in which I was not bound by my oath of office to exercise my *judgment*, the case would be different.

I have said thus much because I cannot but feel that the General Assembly, in the passage of this bill, has not fully considered the position in which it places myself; and because I cannot think so strange an anomaly as its presentation to me for my signature was ever contemplated in the Constitution of the State.

The Constitution, article four, section one, paragraph four is as follows:

“In case of the death, resignation or disability of the Governor, the President of the Senate shall exercise the Executive powers of the Government, until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the Executive powers of the Government until the removal of the disability, or the election and qualification of a Governor. The General Assembly shall have power to *provide by law* for filling *unexpired terms* by a special election.

Without a doubt, it is upon the last sentence of this quotation from the Constitution that this bill is founded.

The bill is entitled “an act to provide for a special election for Governor, to fill the unexpired term of Rufus B. Bullock, late Governor, and for other purposes.” It provides that an election shall be held on a fixed day, to-wit: the third Tuesday in December, eighteen hundred and seventy-one, for that purpose.

In my judgment, the clause of the Constitution referred to does not authorize or justify such a law. The language is: “The General Assembly shall have power to *provide by law* for filling *unexpired terms* by a special election.”

It was contemplated that the General Assembly should provide by a general law, not for filling a par-

ticular unexpired term, but for filling unexpired terms generally. No man can read this language of the Constitution, without feeling that it is a very strained construction, to say the least of it, to hold that it authorizes a *special law* for a *special case*. The language is unsuited to such an idea. The word *terms* indicates clearly that a general law is meant passed in view of the general public good and looking to future vacancies, and not to one that has already occurred. The action now taken can only be called a law by courtesy. It is rather an order than a law, as is indicated by the constant use of that term when speaking of it in common conversation. It does not provide for future events, but for one past event.

Upon the resignation of Governor Bullock, I was informed thereof by the Secretary of State, and on the thirtieth day of October, of this year, in pursuance of section one hundred and twenty-seven of the Code of Georgia, I appeared at the Capitol and took the oath of office, and the same was entered upon the minutes of the Executive office, as required by the section of the Code just cited. That oath was in these words, as prescribed by the Constitution: "I do solemnly swear that I will faithfully *execute the office of Governor, of the State of Georgia*, and will, to the best of my ability, preserve, protect, and defend the Constitution thereof, and of the United States of America."

At the time I took said oath, there was no law in this State for filling unexpired Gubernatorial terms by a special election. The Constitution was the only law. That conferred the office upon the President of the Senate, until the regular election for a Governor in the mode and at the time therein provided.

Is it competent for the General Assembly, under the clause authorizing it to provide by law for filling unexpired terms, to *order* an election by a special act, to fill a term already filled according to the Constitution?

Section twenty-six of article one of the Constitution provides that "Laws shall have a general operation,

and no general law affecting private rights shall be varied in any particular case by special legislation, except with the free consent, in writing, of all persons to be affected thereby."

At the time Governor Bullock resigned, and the oath to "execute the office of Governor of the State of Georgia" was administered to me, it was the general law that the President of the Senate should exercise the duties of Governor until the regular election, and it is not competent for the General Assembly, by a special law, to vary this general law so as to affect a case occurring before the enactment. Nor is there any significance in this argument in the use of the words "special election," in the clause referred to. The Constitution in article two, section eleven, provides that the election of Governor, members of Congress and of the General Assembly shall be held at the same time, to-wit: on the Tuesday after the first Monday in November. The election of a Governor is also provided in article four, section one, paragraph two of the Constitution, to be held on the Tuesday after the first Monday in November, quadrennially at the places for holding general *elections*. Any election to fill an unexpired term must necessarily, though provided for by a general law for all such cases, be a "special election," since it is held at a different time from the "general election," to-wit: same time regulated by the law for filling unexpired terms.

Had the intent been to authorize the General Assembly to provide for filling a particular unexpired term, after it had occurred, it seems to me the language used would have been very different. The Constitution would have said, "The General Assembly shall have power by special law to provide for filling an *unexpired term* by a special election."

A power to *provide by law* for filling *unexpired terms* by a special election, necessarily involves a general survey of such cases, and especially does it involve the free exercise of judgment by the Legislature

and by the Governor. This free judgment cannot be had in a special law for a special case, when the passage of it involves the official existence of the Executive. He can give no free judgment in the matter since he is necessarily interested in the event.

No proper provision can be made by law for such a case after the occasion has arisen, because one of the elements of *every law*—the free judgment of the Executive upon its propriety—cannot be obtained; and because its passage involves the violation of that clause of the Bill of Rights, which prohibits the varying of a general law by special enactment, when private rights are thereby to be affected.

Another objection to the constitutionality of this bill is drawn from the provisions of article four, section one, paragraph two of the Constitution. This paragraph is in these words:

“After the first election, the Governor shall be elected quadrennially by the persons qualified to vote for members of the General Assembly, on the Tuesday after the first Monday in November, until such time be altered by law, which election shall be held at the places of holding general elections in the several counties of this State, in the same manner as is prescribed for the election of Members of the General Assembly. The returns for every election of Governor, after the first, shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives, and transmitted to his Excellency the Governor, or the person exercising the duties of Governor for the time being, who shall, without opening the said returns, cause the same to be laid before the Senate on the day after the two Houses shall have been organized; and they shall be transmitted by the Senate to the House of Representatives. The members of each branch of the General Assembly shall convene in the Representative Hall, and the President of the Senate and the Speaker of the House of Representatives shall open

and publish the returns in the presence of the General Assembly; and the person having the majority of the whole number of votes given shall be declared duly elected Governor of this State; but if no person have such majority, then from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the Legislature to elect, the General Assembly shall immediately elect a Governor *viva voce*; and in all cases of election of a Governor by the General Assembly, a majority of the votes of the members present shall be necessary for a choice. Contested elections shall be determined by both Houses of the General Assembly in such manner as shall be prescribed by law.”

I am aware of the claim that these provisions do not apply to special elections to fill unexpired terms; since it is contended the power to provide by law for filling such terms includes the mode by which the result of those elections shall be ascertained and disclosed. But nothing is more clear to my mind than that all parts of the Constitution are to be construed together—that no part thereof is to be ignored. It will hardly be contended that this power to provide by law for filling unexpired terms is to be construed as though it stood alone. May the General Assembly, in the exercise of this power, say who shall vote at the election? Who should be eligible to the office? Who shall open the returns, declare the result, and decide the controversy if there be no majority, or if the election be contested?

It seems to me that the clause conferring the power to provide by law for filling unexpired terms by special election is to be read and understood with this qualification, that the General Assembly in the exercise of the power is to be restrained and contracted by any other part of the Constitution applicable to the matter. As the Constitution fixes the qualifications of voters, the eligibility of candidates and the mode of transmitting and opening the returns and declaring the result, as it provides that the person elected shall have a



majority of all the votes cast, and what shall happen if no one receives that majority, and also provides what body shall decide the controversy if there be a contested election, as all these things are provided for in detail in the Constitution, and are by the express words used declared to apply to *every* election for Governor, it is a very unfair construction to say that they apply only to the regular quadrennial election and not to the special elections to be provided for by law for filling unexpired terms.

The true rule of construction would be, as I think, that every provision in this paragraph, not positively inconsistent with the clause authorizing the General Assembly to provide by law for filling unexpired terms, is intended to apply to the case of special elections. There is the same necessity for all these provisions in one case as in the other, and I can see no reason for them in the case of a general election that does not apply equally to special elections.

In this way only can all parts of the Constitution be made to stand.

The paragraph I have quoted, requires the returns of every election to be transmitted to the Senate, on the next day after the organization of the two Houses. The two Houses are organized twice in every four years—once with the incoming regularly elected Governor, and once two years thereafter. A special election may be held and the returns transmitted to the Senate, as *provided by the Constitution*, on the next day after the two Houses shall have been organized, only if the vacancy shall happen during the first two years of the quadrennial term. Here is a solemn provision of the Constitution. What right has any one to say that it is to be ignored, especially in a case in which it can be obeyed to the letter, and the power to provide by law for filling unexpired terms still exists.

True the power will be much restricted, as it will be confined only to such unexpired terms as happen within the first two years of the quadrennial term. But

if the Constitution can be obeyed in no other way, the conclusion is irresistible that such was the intention of the framers of that instrument.

A brief sketch of the history of this clause for filling unexpired terms will indicate that this was the probable meaning of those who introduced it.

The Gubernatorial term had long been but two years. The mode of making the returns, declaring the result, etc., was a part of the old Constitution, and was in harmony with the term of office prescribed. It harmonized with the election and meeting and organization of the General Assembly. Under previous Constitutions there was no power to provide by law for filling unexpired terms by a special election. The term being but two years, it was not thought necessary to have an election in case of a vacancy.

The Constitution of 1868 extended the term to four years, and this clause was added, no change being made in the mode of transmitting and opening the returns, for the simple reason that it was not intended there should be a special election unless the vacancy occurred within the first two years of the quadrennial term, so that the returns could be transmitted to the Senate on the next day after the organization of the two Houses, elected at the end of two years from the commencement of the quadrennial term.

There was, too, an obvious propriety in having this limitation of the power granted to stand. For whilst there was great reason for having a special election by the people, if the vacancy occurred during the first two years, there was but little reason for it if the vacancy occurred during the last two. Besides, in one case the vacancy could be filled, the returns opened, the result declared, and the Governor elect inaugurated at the meeting of the General Assembly at the *regular term*, whilst in the other case a special session of the Legislature, with all its attendant expenses, would be necessary.

This brings me to an objection to the bill based upon

the great expense necessary for its execution. The regular election for a Governor occurs under the Constitution on the Tuesday after the first Monday in November next, less than a year from the time fixed by this bill for the election.

Should the election contemplated by this bill take place, the returns can hardly be made before the first day of January, 1872, which leaves only about ten months for the Governor to be elected to serve.

It does not become me to say that the duties of the office can be as well performed by the present incumbent, but it cannot escape the reflection of any man, that the expense of the election, and more especially the expense of a special session of the Legislature to receive the returns, declare the result and inaugurate the new Governor, will be a large item and ought only to be incurred for some very necessary and pressing exigency.

Should the present session be protracted till that time, it cannot be done at a less expense than one hundred thousand dollars, and should it adjourn to meet again, say by the second Monday in January, the expenses of mileage and pay of members and officers for the extra session cannot be less than one hundred and fifty thousand dollars, if the extra session continue only for a few days, which is not at all probable.

To incur so great an expense in the present embarrassed condition of the finances of the State, for the single purpose of changing, for a few months, the incumbent of the Executive chair, might, it is true, under some circumstances, be a public necessity, but I may be pardoned for saying that, in my judgment, such a necessity does not now exist.

In looking more closely into the bill under consideration, I perceive that it is based entirely upon the idea I have endeavored to combat. It takes for granted that the detailed provisions of the Constitution for making, transmitting, opening and counting the re-

turns, etc., do not apply to special elections, and the bill, therefore, purports to provide for said details by enacting that such proceedings shall be had as is provided in article four, section one, paragraph three of the Constitution in case of a regular election for Governor.

I assume that this provision would not have been in the bill, unless the General Assembly was fully satisfied that these provisions of the Constitution did not apply to the case of a special election, and that, without a special adoption or re-enactment of them for a special election, there would be no law at all to provide for the case. I present for your consideration another objection to the bill presented for my signature.

By some strange mistake, only noticed by myself since the body of this message was written, and therefore too late to call attention to it in time for its remedy, it will be seen that the reference in the bill is to article four, section one, paragraph *three* of the Constitution. That paragraph provides *not for making, transmitting and opening the returns and declaring the result*, but fixes *who shall be ineligible to the office*. If this bill were to be signed by me, the anomalous case would present itself of a law to elect a Governor with no provision for a tribunal to open the returns, declare the result, and announce the same.

Should article four, section one, paragraph *two* of the Constitution apply to the case, the law would be that the returns are to be transmitted to the Senate *on the day after the two Houses shall have been organized*. This it is impossible to do, as the two Houses cannot be organized until after the Tuesday after the first Monday in November 1872, at which time the regular quadrennial election for Governor takes place.

For these reasons I refuse to sanction the bill and respectfully return it.

BENJAMIN CONLEY, *Governor*

Mr. McMillan moved to pass the bill referred to in the foregoing message, by a constitutional majority of

two-thirds, notwithstanding the veto of his Excellency the Governor

Mr. Pierce called the previous question, and the call was not sustained.

After some discussion, Mr. Snead called the previous question, and the call was sustained.

The bill was put upon its passage, and a two-thirds vote being required, the Clerk proceeded to call the roll for taking the yeas and nays.

Those voting in the affirmative are Messrs.—

Anderson, Wm. D.	Gray,	Patillo,
Anderson, Wm. P.	Griffin of Twiggs,	Paulk,
Bacon,	Guyton,	Paxton,
Baker of Pike,	Hall of Upson,	Payne,
Ballanger,	Harvey,	Peeples,
Barksdale,	Heidt,	Pentecost,
Barron.	Hendley,	Phillips,
Berrien,	Hoge,	Pierce,
Booth,	Howell,	Pou,
Bowie,	Hooks,	Reid,
Brewton of Tatnall,	Hudson,	Ronfroe,
Bunn,	Hughes,	Richards,
Bush,	Hunter,	Riley,
Butts,	Jenkins,	Roundtree,
Carlton,	Johnson of Clay,	Russell,
Cato,	Johnson of Jefferson,	Rutherford,
Chancey,	Jones of Terrell,	Scott,
Chastain,	Kelly,	Sellers,
Clark of Richmond,	Kennedy,	Simmons of Gwinnett,
Clark of Troup,	Killian,	Slaton,
Cleghorn,	Knowles,	Smith of Oglethorpe,
Cody,	Lamkin,	Snead,
Collins,	Lang,	Spence,
Cox,	Mann,	Stovall,
Craig,	Martin,	Summers,
Crittenden,	Mattox,	Summerlin,
Cumming,	McConnell,	Tarver,
Davis of Newton,	McMillan,	Trammell,
Dell,	McNeal,	Watters.
Edwards,	Meadows,	West,
Fain,	Morris,	Wilson,
Farmer,	Morrison,	Wofford of Banks,
Field,	Murphy of Burke,	Wofford of Bartow,
Glover,	Murphy of Harris,	Wood,
Goldsmith,	Netherland,	Woodward,
Goodman,	Nutting,	Wynn.
Graham,	Palmer,	

Those voting in the negative are Messrs.—

Allred,	Emerson,	McWhorter,
Atkinson,	Etheridge,	Moreland,
Battle,	Floyd,	Oliver,
Blue,	Franklin,	O'Neal,
Bruton of Decatur,	Griffin of Houston,	Putney,
Brown,	Hall of Meriwether,	Richardson,
Campbell,	Head,	Sargent,
Clower,	Hillyer,	Simmons of Hall,
Colby,	Jackson,	Simmons of Houston,
Converse,	Jones of Macon,	Smith of Coweta,
Davis of Clarke,	Lewis,	Whatley,
Dukes,	Mansfield,	Williams.

Yeas, 110. Nays, 36.

So the bill was passed over the Executive veto by a constitutional majority of two-thirds.

Mr. Pierce moved to transmit the bill, together with the action of this House thereon, immediately to the Senate. The motion prevailed.

Mr. Clower gave notice that he would move, on tomorrow, to reconsider the action of this House in passing said bill.

On motion, the rules were suspended, and the following bills were introduced, and read the first time :

By Mr. Cumming—

A bill to endow the University of Georgia.

Accompanying this bill was a memorial from the Trustees of the University of Georgia. Two hundred copies of the bill and memorial were ordered to be printed for the use of this House.

Also, a bill to change the time of holding the Superior Court of Richmond county.

By Mr. Nutting—

A bill to amend the usury laws of this State.

By Mr. Jones of Macon—

A bill to provide for the payment of taxes due by employees.

On motion of Mr. Hall of Upson, the rules were

suspended, and the Senate resolution for the appointment of a joint committee to take an inventory of the articles of household and kitchen furniture in the Executive Mansion, was taken up, concurred in, and ordered to be transmitted at once to the Senate.

Messrs. Hall of Upson, Rutherford, and Murphy of Harris were appointed as said committee from the House.

Mr. McMillan moved to suspend the rules for the purpose of taking up a resolution providing that the joint Finance Committee make inquiry in reference to certain bonds in the office of the Secretary of State, said to be for the benefit of the school fund.

The rules were suspended, and the resolution agreed to.

On motion of Mr. Johnson of Jefferson, the rules were suspended, and a joint resolution, offered by Mr. Hoge, memorializing Congress to refund the tax collected on raw cotton, under the revenue laws, was taken up and agreed to.

Mr. Craig offered a resolution tendering the use of this Hall, on Saturday night next, to Mr. H. M. Law, of Savannah, for the purpose of delivering a lecture on temperance.

On motion of Mr. Bacon, the rules were suspended, and a joint resolution in reference to the lending of the credit of this State to railroad companies, and the issuing of bonds for that purpose, was read and made the special order for Monday, 27th instant.

The rules were suspended, and the Senate bill to change the county site of Clarke county from Watkinsville to Athens, was read the third time and passed.

Leave of absence was granted to Messrs. Murphy of Burke, Hunter, Hendley, Heidt, Dell, Putney, and Jones of Gwinnett.

The hour of one o'clock P. M. arrived, and the Speaker declared the House adjourned until 9 o'clock A. M. to-morrow.

ATLANTA, GEORGIA,  
Thursday, November 23, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Rev Mr. Jones.

The Journal of yesterday was read and approved.

Mr. Clower moved to reconsider so much of the Journal of yesterday as relates to the passage of the election bill over the Governor's veto.

Mr. Lang made the point of order that a motion to reconsider a passed bill, after the bill had been transmitted to the Senate, could not be entertained.

The Speaker ruled the point well taken.

Mr. Farmer offered a resolution that hereafter this House will meet at 3 o'clock P. M., for the purpose of reading local House bills the second time.

Mr. Stovall moved to strike out the word "local."

Mr. Pierce moved to add the words, "and Senate bills the first and second time."

The motion of Mr. Pierce was lost; that of Mr. Stovall prevailed, and the resolution, as thus amended, agreed to.

Leave of absence was granted Messrs. Sellers, Hooks, Collins, and Harvey.

Mr. Farmer also offered a resolution that the Committee on the Judiciary be requested to examine and ascertain if further legislation will be necessary to carry out the election for Governor, to be held on the third Tuesday in December next, and if so, to report a suitable bill.

Mr. McMillan moved to amend by adding that the Committee on the Judiciary be further instructed to consider and report whether a bill, general in its application, can be framed so as to cover not only the election to be held in December next, but all other cases of special elections for Governor that may be necessary in future.



Mr. Farmer accepted the amendment, and the resolution, as thus amended, was agreed to.

Mr. Crittenden offered a resolution for the observance of the thirtieth day of this month as a day of Thanksgiving, and the appointment of a joint committee to arrange for divine services in the Representative Hall, at 10½ o'clock A. M. on said day

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed, by a constitutional majority of yeas 28, nays 14, over the veto of his Excellency the Governor, the following bill of the House of Representatives, to-wit:

A bill to provide for a special election for Governor, to fill the unexpired term of Rufus B. Bullock, late Governor, and for other purposes.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House Representatives, the following resolution:

*Resolved by the House of Representatives, the Senate concurring,* That the standing committees on Public Printing of the two Houses be, and they are hereby, instructed forthwith to consider and report whether justice to the State requires any change in the rates of compensation now allowed by law to the State Printer, and if any, what change is necessary, that such rates may be made reasonable and fair, and that the joint report of said committees be made to the two Houses, on Saturday next.

H. L. W. CRAIG, *Chairman.*

Mr. Crittenden, chairman *pro tem.* of the Committee on Finance, submitted the following report:

*Mr. Speaker:*

The Committee on Finance have had under consideration the following bills, to-wit:

An act to organize a Board of Assessors in each county of this State, etc., which they recommend do not pass.

Also, sundry bills entitled acts to authorize Tax Collectors to pay over the State taxes to the Ordinary of Butts county, Cherokee county, Dawson county and Cobb county, to aid in public buildings, which they recommend do not pass.

Also, a bill entitled an act to appropriate certain moneys for the compensation and reimbursement of Samuel Weil, Esq., Foreign Commissioner of Immigration, which they recommend do not pass.

R. F. CRITTENDEN,

*Chairman pro tem. Finance Committee.*

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report:

*Mr. Speaker:*

The Committee on Internal Improvements have had under consideration a bill to be entitled an act to amend an act incorporating the Great Western Canal Company, and recommend its passage.

HALL of Upson, *Chairman.*

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying document.

The message was not taken up.

Mr. Crittenden, chairman *pro tem.* of the Committee on Finance, submitted the following report:

*Mr. Speaker:*

The Committee on Finance, to whom was referred a bill entitled an act to increase the pay of grand and petit jurors in Decatur county, have considered the same, and recommend it do pass.

Also, a bill entitled an act to establish a lien in favor of physicians and school teachers; recommend it do not pass.

Also, a bill entitled an act to repeal an act to authorize payment of cost to officers of Bartow county; recommend it do pass.

Also, a bill entitled an act to increase the pay of jurors in Troup county; recommend it do pass.

Also, a bill entitled an act to increase the pay of jurors in Cobb county; recommend that it do pass.

R. CRITTENDEN,

*Chairman pro tem. Finance Committee.*

The Committee on Petitions and Memorials, to whom was referred a certain petition of John A. Jones, of Polk county, report:

*Mr. Speaker:*

The petitioner asks an appropriation of money to save him harmless against a payment for lands made by him in the year 1857, and the grant of which lands he afterward failed, upon application, to procure from the State.

The facts are defectively stated. The committee cannot supply facts by conjecture. As the petition stands, they recommend that it be not granted.

GARNETT McMILLAN, *Chairman.*

Mr. Crittenden, chairman *pro tem.* of the Committee on Finance, submitted the following report:

*Mr. Speaker:*

The Committee on Finance, to whom was referred

sundry bills relating to per deim and mileage of members and officers of this General Assembly, have had the bills under consideration, and offer a substitute for the whole.

Also, a bill entitled an act to authorize W. C. Jones, a maimed and indigent soldier of Meriwether county, to peddle without paying for license, respectfully return the same, and offer a substitute that shall be general in its operation.

Also, a memorial of the agent of the American Bible Society, asking for \$1,000, which they recommend do not pass.

R. F. CRITTENDEN,  
*Chairman pro tem. Finance Committee.*

Mr. Craig, Chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment, report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bills, to-wit:

A bill to change the time of holding the Superior Courts in the counties of Columbia and McDuffie, in the State of Georgia.

Also, a bill to incorporate the Van Wert Slate Mining Company, and for other purposes.

Also, a bill to incorporate the Excelsior Slate Mining Company of the county of Polk, and for other purposes.

H. L. W. CRAIG,  
*Chairman Enrolling Committee.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bills:

A bill to incorporate the Oglethorpe Fertilizing Company, and for other purposes.

Also, a bill to amend sections 1035 and 1038 of the Code of Georgia.

Mr. Jackson, chairman of the Committee on Education, submitted the following report, to-wit :

*Mr. Speaker :*

The Committee on Education recommend that the petition of William Russell and Jordan Rowland, in reference to compensation for services performed in teaching poor children, be laid on the table.

The committee further recommend the adoption of the following resolution :

Whereas, The amount standing to the credit of the Educational Fund, according to the reports of the State Board of Education, and of the State School Commissioner, is six hundred and sixty-three thousand two hundred and eighty-two dollars and ninety-eight cents ;

And whereas, This entire sum, under the direction of the last General Assembly, has been drawn out of the Treasury of the State, and appropriated to other purposes ;

And whereas, Under act approved July 28, 1870, the Governor is required to deposit with the Treasurer, bonds of this State, bearing seven per cent. sufficient in number to secure the Educational Fund ; therefore

*Be it resolved*, That the Executive Department, deposit with the Treasurer of this State, forthwith, seven per cent. bonds of this State, sufficient to secure the said Educational Fund, and report forthwith his action to this General Assembly

*Resolved further*, That none of the bonds so to be deposited as aforesaid, be disposed of until the manner and mode of disposition, be declared by the final action of this General Assembly, upon the subject of public schools.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bills:

A bill to impose certain duties and confer certain powers on the Ordinary of Union county

Also, a bill to provide the mode of adjudicating the rights of parties under the homestead act.

Also, a bill to incorporate the town of Luthersville, and for other purposes.

Also, a bill to fix the compensation of jurors in the county of Decatur.

Also, a bill to authorize the Ordinary of Cherokee county to issue bonds to build a court-house.

Also, a bill to alter, change and amend an act to incorporate the town of Decatur.

Also, a bill to provide the time of holding the Superior Courts of the Eastern Judicial Circuit.

Also, a bill to protect the people of Georgia against the illegal issue of bonds.

Also, a bill to abolish the offices of the Western & Atlantic Railroad.

Also, a bill to require the Judges of the Superior Courts to give in special charge sections 4489, 4490 and 4491 of the Code of Georgia.

Also, a bill to repeal section 121 of the Code of Georgia.

Also, a bill to amend section 4251 of the Code.

Also, a bill to grant to the Savannah, Skidaway & Seaboard Railroad Company the right to construct a railroad through Abercon street.

Also, a bill to provide the times of holding the Superior Courts of the Flint Circuit.

Also, a bill to make slander a criminal offense.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker:*

The Committee on the Judiciary, to whom was refer-

red a resolution touching the admissibility of evidence in contested elections to seats in the General Assembly, instructs me to report:

That the evidence which was received by the Committee on Privileges and Elections, in the contested election case from Spalding county, directly from the grand jurors, who examined the ballots, which were charged to be illegal, as to the party for whom said ballots were cast, was admissible under the facts in this case, and the Constitution and laws of Georgia, then and now in force.

E. F. HOGE, *Chairman*.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr Speaker:*

The Committee on the Judiciary have had under consideration a bill to be entitled an act to authorize the reception of depositions during the vacation of the courts, from post-masters and others, and recommend that it do not pass.

Also, a bill to be entitled an act to prescribe the manner in which official bonds and bonds in legal proceedings shall be taken and approved by Clerks, Sheriffs, Ordinaries, and other officers in this State, the committee recommend do not pass.

Also, a bill to authorize the Clerks of the Superior Courts of the counties of Lowndes, Coffee, Echols, Clinch, and Ware, to issue writs that shall bear test in the names of J. R. Alexander and William M. Sessions, Judges of the Southern and Brunswick Circuits, respectively, the committee recommend do pass.

Also, a bill to be entitled an act to empower the Judges of the Superior Courts of this State to appoint auditors in cases pending at law, the committee recommend do pass.

Also, a bill to be entitled an act to change the time of holding the Superior Courts in the counties of Elbert and Hart, the committee recommend do pass.

Also, a bill to be entitled an act to change the time of holding the Superior Courts of Camden county, the committee have considered, and to it an amendment is proposed; and with this amendment the committee recommend that the bill do pass.

The committee have also had under consideration a bill to be entitled an act to repeal the usury laws of this State, and to fix the rate of interest in cases where contracting parties do not fix the rate thereof in writing; and I am instructed to report it back to the House, with the recommendation that it do pass.

E. F. HOGE, *Chairman*.

Mr. Hoge explained that the foregoing report had been made by him, as instructed by the committee, but that himself and others, a minority of said committee, did not agree with a majority thereof, so far as the Spalding county contested election, and the bill to amend the usury laws of this State are concerned.

The House took up the Spalding county contested election case, which had been the special order for Tuesday, 21st inst.

The report of the Committee on Privileges and Elections recommended that the contestant, David H. Johnson, be declared entitled to the seat in this House as Representative from said county, and that he be sworn in as such.

Mr. McMillan offered, as a substitute for the report of the committee, a resolution declaring there had been no election in said county, and providing that a new election be ordered.

Mr. Bush called the previous question, and the call was not sustained.

After some discussion, Mr. Hudson called the previous questions, and the call was sustained.

The resolution of Mr. McMillan was lost.

The question recurring upon agreeing to the report of the Committee on Privileges and Elections, Mr. Chancey called for the yeas and nays, and the call was sustained.



Those voting in the affirmative are Messrs.—

Allred,	Glover,	Palmer,
Anderson, Wm. D.	Goodman,	Patillo,
Anderson, Wm. P	Graham,	Paxton,
Bacon,	Gray,	Payne,
Baker of Pike,	Griffin of Twiggs,	Peoples,
Ballanger,	Hancock,	Pentecost,
Barksdale,	Head,	Pierce,
Barron,	Howell,	Reid,
Beaseley,	Hooks,	Renfro,
Berrien,	Hudson,	Richards,
Bowie,	Hughes,	Riley,
Brown,	Jackson,	Roundtree,
Bunn,	Jenkins,	Russell,
Bush,	Johnson of Clay,	Rutherford,
Carlton,	Johnson of Jefferson,	Scott,
Chancey,	Jones of Gwinnett,	Sellers,
Chastain,	Jones of Hart,	Simmons of Hall,
Clark of Richmond,	Jones of Terrell,	Slaton,
Cleghorn,	Kelly,	Smith of Oglethorpe,
Cody,	Killian,	Snead,
Collins,	Knowles,	Spence,
Cox,	Lamkin,	Stovall,
Craig,	Lang,	Summerlin,
Crittenden,	Mann,	Tarver,
Cumming,	Martin,	Trammell,
Davis of Newton,	Mattox,	Watters,
Edwards,	McConnell,	West,
Emerson,	McNeal,	Whatley,
Etheridge,	Meadows,	Wofford of Bartow,
Fain,	Morrison,	Wood,
Farmer,	Murphy of Harris,	Woodward,
Field,	Netherland,	Wynn.
Franklin,		

Those voting in the negative are Messrs.—

Atkinson,	Dukes,	Mansfield,
Battle,	Floyd,	McMillan,
Blue,	Goldsmith,	McWhorter,
Braddy,	Hall of Meriwether,	Oliver,
Brawner,	Hall of Upson,	O'Neal,
Bryan,	Hillyer,	Pou,
Campbell,	Hoge,	Richardson,
Clower,	Hunter,	Simmons of Gwinnett,
Colby,	Jones of Macon,	Simmons of Houston,
Converse,	Kennedy,	Smith of Coweta,
Davis of Clarke,	Lewis,	Wofford of Banks.

Yeas, 97. Nays, 33.

So the report of the committee was adopted.

At his own request, Mr. Sargent was excused from voting on the question before the House.

Mr. Hoge gave notice that he would move on tomorrow to reconsider the action of the House in adopting the report of the committee.

Mr. Hudson moved that Mr. David H. Johnson, being present, be now sworn in as Representative elect from the county of Spalding.

Mr. McMillan made the point of order, that if Mr. Johnson was now sworn in, a reconsideration would be rendered of no avail, and that he could not therefore be sworn in.

The Speaker ruled the point not well taken, and stated that the report of the committee having been adopted, Mr. Johnson would be sworn in as a matter of course.

So Mr. Johnson was sworn in.

The House took up the substitute reported by the Committee on Finance for the various bills to fix the per diem pay of the members of this General Assembly. The substitute was read.

Mr. Simmons of Gwinnett moved to strike out "seven" and insert "six dollars" per day as the compensation for members.

Mr. McMillan moved to strike out "ten" and insert "seven" as the compensation of the presiding officers, and to strike out "seven" and insert "six" as the compensation of each member, and three dollars for every twenty miles traveled.

On motion of Mr. W. D. Anderson, the House resolved itself into a Committee of the Whole.

Mr. McMillan, chairman of the Committee of the Whole reported progress, and asked leave to sit again :

Mr. Cumming moved to extend the session thirty minutes, which motion prevailed.

Leave was granted the Committee of the Whole to sit again.

Mr. McMillan, chairman of the Committee of the Whole, reported progress.

Mr. Simmons of Gwinnett moved that the House again resolve itself into a Committee of the Whole.

The motion did not prevail.

On motion, the session was extended ten minutes.

Mr. Payne called the previous question on the motion of Mr. McMillan, and the call was not sustained.

Mr. Pou moved to perfect the substitute by sections.

Pending action, the hour of adjournment arrived, and the Speaker declared that the House would take a recess until 3 o'clock P. M.

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AFTERNOON SESSION, 3 o'clock P. M.

The House met pursuant to adjournment.

The following bills were read the second time, and referred to the Committee on the Judiciary :

A bill to change the law of distribution, so far as it affects the separate property of married women.

A bill to amend section 3178 of Irwin's Revised Code.

A bill to make slander or oral defamation criminal.

A bill to alter and amend section 1640 of Irwin's Revised Code.

A bill to amend an act to carry into effect the second clause of the thirteenth article of the Constitution.

A bill to prevent and make illegal the collection of costs in any case to which the State may be a party, until the final termination of the suit.

A bill to alter and amend the several sections of Irwin's Revised Code, from section 2716 to section 2730, both inclusive.

A bill to repeal section 2349 of Irwin's Revised Code.

A bill to extend the jurisdiction of the City Court of Augusta over the county of Richmond.

A bill to require all declarations and defenses, in cases at common law in the Superior Courts of this State, to be complete as filed at the first term, to prohibit amendments, and for other purposes.

A bill to allow persons to make returns of their taxable property to the Clerk of the Superior Court, in certain cases.

A bill to prevent fraud in laying off the homestead and exemption of personalty under the Constitution, and to make the same a misdemeanor.

A bill to alter and amend section 689 of Irwin's Revised Code.

A bill to alter and amend section 2850 of Irwin's Revised Code.

A bill to authorize the sale of personal property at any place within the limits of Milton county.

A bill to alter and amend the several acts incorporating the city of Milledgeville.

A bill to amend the laws in relation to dower.

A bill to restrict the operation of the several sections of the Code, from section 2333 to 2346, both inclusive, in the counties of Hart and Habersham.

A bill to alter and amend section 4476 of Irwin's Revised Code.

A bill to enforce contracts of immigrants and laborers, and for this purpose to make their wages subject to garnishment, in certain cases.

A bill to alter and amend an act to fix the compensation for taking down in writing the testimony on charges of felony.

A bill to authorize parties in certain cases to file bills of exceptions.

A bill to amend the road laws of this State, so far as they relate to the county of Lumpkin.

A bill to authorize Sheriffs and other levying officers to collect advertising fees and costs of keeping property, before accepting affidavits of illegality or claims.

A bill to change the seventh paragraph of section 1711 of Irwin's Revised Code.

A bill to require the Tax Collector of the county of Meriwether to have his office at the court-house of said county

A bill to prevent the sale of spirituous liquors within a mile of Clement's Institute.

A bill to amend an act to secure the proceeds, profits or rents arising from homesteads, and for other purposes.

A bill to organize a new judicial circuit.

A bill to declare of whom juries shall be composed, in certain cases.

A bill to alter and fix the pay of grand and traverse jurors, and bailiffs of the Superior Court of the county of Terrell.

A bill to amend an act assented to October 6, 1868.

A bill to authorize the revision of the jury box in the county of Twiggs.

A bill for the relief of William Gibson and Lewis DeLoach.

A bill to change the time of holding the Superior Courts in the Flint Judicial Circuit.

A bill to change the time of holding the Superior Courts in the county of Worth.

A bill more effectually to protect religious worship in the State of Georgia.

A bill to amend the laws in relation to the punishment of capital offenses.

A bill to require defendants to pay the costs in certain cases, before filing affidavits of illegality

A bill to abolish the District Courts of this State.

A bill to organize a Criminal Court in each county of this State.

A bill to amend section 4420 of the Code of Georgia.

A bill to authorize persons who have purchased real estate in Rabun county, to have their deeds recorded within twelve months from the passage of this act.

A bill to render certain slanders penal, and provide for the punishment of the same.

A bill to repeal an act to create a Board of Commissioners of Roads and Revenue, in the county of Richmond.

A bill to authorize Jonathan Ross, of Schley county, to settle with his ward, Sterling G. Carter, a minor.

The following bills were read the second time and referred to the Committee on Finance:

A bill to require the Tax Collector of the county of Ware, to receive county scrip for taxes due the county

A bill to establish an annuity for certain persons therein designated.

A bill to authorize the Ordinary of Randolph county to issue bonds of said county for the building of a court-house, etc.

A bill to authorize the corporate authorities of the city of Dalton to issue bonds for educational purposes.

A bill to appropriate one hundred and fifty-seven dollars and thirty-five cents, to be refunded to Charles Latimer, for tax erroneously collected from him.

A bill to relieve Mary A. Edmondson from taxation.

A bill to provide for the payment of a portion of the fund raised for school purposes to the city of Columbus.

A bill to regulate the pay of grand and petit jurors of Paulding county.

A bill to ascertain the amount of insolvent criminal costs yet due and unpaid to the officers of the County Court, and to pay the same.

A bill for the relief of George C. Edwards, former Tax Collector of Lee county

A bill to authorize the Mayor and Council of La-Grange, to issue bonds to aid in building railroads, and for other purposes.

A bill to compensate grand and petit jurors in the county of Sumter.

The following bills were read the second time and referred to the Committee on New Counties and County Lines:

A bill to change the boundary line between the counties of Bartow and Polk.

A bill to repeal an act to change the county site of Telfair county to a point on the Macon & Brunswick Railroad.

The following bills were read the second time and ordered to be engrossed:

A bill to compensate the Clerks and Sheriffs of the Superior Court, and other officers for services rendered in the District Court of Richmond county

A bill to authorize the Tax Collector of Madison county to receive certain jury certificates in payment of all taxes due said county

A bill to create a Board of Commissioners for the county of Liberty

A bill to exempt practicing physicians from jury duty

The following bills were read the second time and referred to the Committee on Banks:

A bill to incorporate the Merchants' & Mechanics' Savings Bank of Columbus, Georgia.

A bill to incorporate the Georgia Industrial Agency, and for other purposes.

The following bills were read the second time and committed:

A bill to exempt practicing physicians from service as jurors in the Courts of this State.

A bill to amend an act to confer additional powers on the Mayor and Council of the city of LaGrange, and for other purposes.

A bill to provide for the payment of grand and petit jurors of the county of Fayette.

The following bills were read the second time and referred to the Committee on Agriculture and Manufactures.

A bill to make it criminal to hunt upon the lands of another, without the consent of the owner.

A bill to create a Board of Commissioners of Roads and Revenue.

A bill to prevent the sale of farm products between the hours of sunset and sunrise, in the counties of Richmond and Burke.

A bill to alter and amend section 1977 of the Code of Georgia.

A bill to organize a State Board of Agriculture.

A bill to regulate the lost time of laborers.

A bill to prevent parties from driving or carrying away stock from their own ranges.

A bill to provide for the ditching and draining of lands under certain circumstances.

A bill to establish a system for working the public roads.

The following bills were read the second time and referred to the Committee on Corporations:

A bill to incorporate the town of Resaca, and for other purposes.

A bill to authorize the corporate authorities of the city of Dalton, to purchase and donate lands to the Selma, Rome & Dalton Railroad Company.

A bill to incorporate the town of Tilton, in the county of Whitfield.

A bill to prevent any person from hounding or killing deer in the counties of Talbot, Marion and Taylor, in the months of May, June, July and August.

A bill to change the county site of Clarke county, from Watkinsville to Athens.

A bill to appoint a Board of Commissioners for Meriwether county

A bill to amend an act incorporating the town of Morgan, in the county of Calhoun.



A bill to amend an act to alter and amend the charter of the city of Columbus, approved March 8, 1866.

A bill to incorporate the town of Rutledge.

A bill to authorize the citizens of Thomasville to elect certain officers.

A bill to amend the several acts, consolidated and approved February 9, 1869, incorporating the town of Lumpkin, in Stewart county

A bill to incorporate the town of Leeton.

The following bills were read the second time and referred to the Committee on Education :

A bill to incorporate an Agricultural Land Grant Board, and dispose of the Agricultural College lands and scrip, and to appropriate the proceeds of the same to the North Georgia and Central Georgia Agricultural Colleges.

A bill to amend an act to establish a system of public instruction, so far as the same relates to the county of Lumpkin.

The following bills were read the second time and referred to the Committee on Internal Improvements:

A bill to protect the credit of this State in lending aid to railroads.

A bill to authorize Calloway Campbell, of Murray county, to erect a mill-dam across the Connasauga river, on his own land.

A bill to regulate the system of farming out the Penitentiary convicts, and for other purposes, was read the second time and referred to the Committee on the Penitentiary

A bill to prescribe the manner in which lunatics, idiots, insane and imbecile persons may be committed to the Lunatic Asylum of this State, was read the second time and referred to the Committee on the Lunatic Asylum.

Leave of absence was granted to Messrs. Johnson of

Clay, Cloud, Tarver, Pou, Roundtree, Bruton of Decatur, and Griffin of Twiggs; also, to Messrs. Patillo, Hooks, Richards, and Goodman, sub-committee from the Committee on the Blind Asylum, to visit the same, in the city of Macon.

On motion, the House adjourned until 9½ o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Friday, November 24, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. McMillan moved to reconsider so much of the Journal of yesterday as relates to the reference of a bill to incorporate an Agricultural Land Grant Board to the Committee on Education.

The motion prevailed, and the bill was taken up and ordered to be engrossed.

On motion of Mr. Jackson, the rules were suspended, and a resolution requesting Messrs. C. L. Redwine, C. C. Hammock, and E. E. Rawson, having in charge the books and papers of the Western & Atlantic Railroad, to report to this House, was taken up and agreed to.

Mr. Simmons of Gwinnett moved that the rules be suspended for the purpose of reading the first time the Senate bill to alter and amend sections 1035 and 1038 of the Revised Code, and for other purposes.

The motion prevailed, and the bill was read the first time.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has agreed to the following resolution, in

which they ask the concurrence of the House of Representatives, to-wit:

A resolution in relation to the adjournment of this General Assembly, and I am directed to transmit the same forthwith to the House of Representatives.

The House took up the unfinished business of yesterday, the same being the substitute reported by the Committee on Finance for the various bills to regulate the pay of the officers and members of this General Assembly.

Mr. Goldsmith called the previous question on the motion of Mr. McMillan, which was to strike out "ten" and insert "seven" dollars per day as the compensation of the presiding officers, and to strike out "seven" and insert "six" as the compensation of each member, and to strike out "five" and insert "three" dollars for every twenty miles traveled.

Mr. Bush made the point of order that the amendment offered by Mr. Simmons of Gwinnett, fixing the compensation of the presiding officers at nine dollars per pay, was first in order, it being the largest sum mentioned.

The Speaker ruled the point not well taken.

Mr. Stovall moved to lay the whole matter on the table, which motion did not prevail.

Mr. Bacon renewed the point of order made by Mr. Bush.

The Speaker ruled the point not well taken, because the rule providing that the largest sum mentioned should be first put to the House must be construed so as to give force to all parts of the same, and that the largest sum mentioned could not be put first, unless incorporated in the last motion to amend, which, under the rule, must be put first; also, that the rule relating to the putting of the largest sum named first referred to the filling of blanks.

The question being upon the motion of Mr. McMli-

lan, as to striking out "ten" and inserting "seven," Mr. W. D. Anderson called for a division of the question.

The question was divided, and the motion to strike out lost.

The question being upon the motion to strike out "seven" and insert "six," Mr. Jackson called for the yeas and nays, and the call was sustained.

Mr. Cumming asked for a division of the question.

Mr. McMillan made the point of order that the previous question having been ordered, and the call for the yeas and nays sustained, it was too late to divide the question.

The Speaker ruled that a division of the question was always in order.

So the vote was taken upon the motion to strike out "seven."

Those voting in the affirmative are Messrs.—

Allred,	Glover,	Murphy of Harris,
Anderson, Wm. D.	Goldsmith,	Netherland,
Anderson, Wm. P.	Goodman,	Palmer,
Baker of Pike,	Gray,	Paulk,
Ballanger,	Hancock,	Paxton,
Barron,	Head,	Payne,
Beaseley,	Hillyer,	Pentecost,
Bell,	Howell,	Reid,
Booth,	Hudson,	Renfro,
Bowie,	Hughes,	Riley,
Braddy,	Hunter,	Russell,
Bryan,	Jackson,	Sargent,
Bunn,	Johnson of Clay,	Scott,
Carlton,	Johnson of Jefferson,	Simmons of Gwinnett,
Chastain,	Johnson of Spalding,	Simmons of Hall,
Clark of Richmond,	Jones of Gwinnett,	Slaton,
Cleghorn,	Jones of Hart,	Spence,
Converse,	Jones of Terrell,	Summerlin,
Crittenden,	Kelly,	Tarver,
Dukes,	Killian,	Trammell,
Emerson,	Knowles,	West,
Fain,	Martin,	Wofford of Banks,
Farmer,	McConnell,	Wofford of Bartow,
Field,	McMillan,	Wood,
Floyd,	Meadows,	Woodward,
Flynt,	Morris,	Wynn.
Franklin,		

Those voting in the negative are Messrs.—

Atkinson,	Etheridge,	Morris,
Bacon,	Griffin of Houston,	Nutting,
Barksdale,	Guyton,	Oliver,
Battle,	Hall of Meriwether,	O'Neal,
Berrien,	Hall of Upson,	Peeples,
Blue,	Hoge,	Phillips,
Brewton of Tatnall,	Jenkins,	Pierce,
Brown,	Jones of Macon,	Richardson,
Bush,	Kennedy,	Rutherford.
Butts,	Lamkin,	Simmons of Houston,
Campbell,	Lang,	Smith of Coweta,
Cato,	Lewis,	Snead,
Clower,	Mann,	Stovall,
Colby,	Mansfield,	Summers,
Cox,	Mattox,	Watters,
Craig,	McNeal,	Whatley,
Cumming,	McWhorter,	Williams,
Davis of Newton,	Moreland,	Wilson.
Edwards,		

Yeas, 80. Nays, 54.

So the motion to strike out prevailed.

Mr. Bacon moved to insert "three" in lieu of "six."

The Speaker ruled that the previous question having been ordered, the motion was out of order.

The motion to insert "six" was then put, and prevailed.

The motion to strike out "five" and insert "three" dollars for every twenty miles traveled, also prevailed.

The question then recurred upon agreeing to the report of the committee.

Mr. Clower offered an amendment, that the Treasurer be authorized to pay each member nine dollars per day up to the time of the passage of the bill.

The Speaker ruled the amendment out of order.

The report of the committee was agreed to.

The bill, as amended, was then read the third time and put upon its passage.

Mr. Johnson of Spalding called for the yeas and nays, and the call was sustained.

Those voting in the affirmative are Messrs.—

Allred,	Glover,	Netherland,
Anderson, Wm. D.	Goldsmith,	Nutting,
Anderson, Wm. P.	Goodman,	Palmer,
Baker of Pike,	Gray,	Paulk,
Ballanger,	Griffin of Houston,	Paxton,
Barksdale,	Guyton,	Payne,
Barron.	Hall of Upson,	Peeples,
Battle,	Hancock,	Pentecost,
Beaseley,	Head,	Phillips,
Bell,	Hillyer,	Pierce,
Blue,	Howell,	Reid,
Booth,	Hudson,	Renfroe,
Bowie,	Hughes,	Riley,
Braddy,	Hunter,	Russell,
Brewton of Tatnall,	Jackson,	Sargent,
Bryan,	Johnson of Clay,	Scott,
Bunn,	Johnson of Jefferson,	Simmons of Gwinnett,
Bush,	Johnson of Spalding,	Simmons of Hall,
Butts,	Jones of Gwinnett,	Simmons of Houston,
Carlton,	Jones of Hart,	Slaton,
Cato,	Jones of Terrell,	Smith of Coweta,
Chastain,	Kelly,	Spence,
Clark of Richmond,	Kennedy,	Stovall,
Cleghorn,	Killian,	Summerlin,
Converse,	Knowles,	Tarver,
Craig,	Lamkin,	Trammell,
Crittenden,	Lewis,	West,
Davis of Clarke,	Mansfield,	Williams,
Dukes,	Martin,	Wilson,
Emerson,	McConnell,	Wofford of Banks,
Fain,	McMillan,	Wofford of Bartow,
Farmer,	McNeal,	Wood,
Field,	Meadows,	Woodward,
Flynt,	Morrison,	Wynn.
Franklin,	Murphy of Harris,	

Those voting in the negative are Messrs.—

Atkinson,	Davis of Newton,	McWhorter,
Bacon,	Edwards,	Moreland,
Berrien,	Etheridge,	Morris,
Brown,	Floyd,	Oliver,
Campbell,	Hall of Meriwether,	O'Neal,
Clower,	Hoge,	Snead,
Colby,	Jenkins,	Summers,
Cox,	Lang,	Watters.
Cumming,	Mann,	Whatley.

Yeas, 104. Nays, 27.

So the bill was passed, as amended.

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr. Speaker :*

His Excellency the Governor has approved and signed the following acts and resolutions, to-wit:

An act to incorporate the Van Wert Slate Mining Company, and for other purposes.

Also, an act to incorporate the Excelsior Slate Mining Company of the county of Polk, and for other purposes.

Also, a resolution authorizing the appointment of a committee to examine and report upon a codification of the laws of this State, applicable to Justices of the Peace, prepared by S. C. McDaniel.

Also, a resolution instructing the standing committees on Public Printing to consider and report whether justice to the State requires any change in the rates of compensation now allowed by law to the State Printer.

Mr. Goldsmith, chairman of the Committee on the Penitentiary, made the following report, to-wit:

*Mr. Speaker :*

The Committee on the Penitentiary have had under consideration the following joint resolution, which they instruct me to report to the House, with a recommendation that it do pass:

A resolution to appoint a joint committee to wait on John T. Meador, of Atlanta, president of the Stone Mountain Granite Company, and ascertain if said company desire to sell their property at and near Stone Mountain, DeKalb county, with the view of moving the Penitentiary from its present site to Stone Mountain.

W. L. GOLDSMITH,

*Chairman.*

Mr. Cumming, chairman of the Committee on Banks, made the following reports, to-wit:

*Mr Speaker :*

The Committee on Banks have had under consideration a bill to be entitled an act to incorporate the Commercial Bank of Albany, and recommend that said bill be so amended that the thirteenth section thereof shall read as follows, to-wit: "That the said bank shall be responsible to its creditors to the extent of its property, and the stockholders shall be ultimately liable for all the debts of the Bank, in proportion to the number of shares held by them respectively," and that when so amended said bill do pass.

JOSEPH B. CUMMING,  
*Chairman Committee on Banks.*

*Mr. Speaker :*

The Committee on Banks have had under consideration a bill to be entitled an act to repeal certain sections of an act entitled an act to charter the Georgia Mutual Fire & Life Insurance Company, approved October 10, 1870, and the several acts amendatory thereto, and recommend that said bill do pass.

JOSEPH B. CUMMING,  
*Chairman Committee on Banks.*

The Clerk proceeded to call the roll of the counties for the introduction of new matter, when the following bills were introduced and read the first time:

By Mr. O'Neal—

A bill to prescribe who shall be jurors, in certain cases, in Baldwin county.

Also, a bill to regulate labor in the county of Baldwin.

By Mr. Gray—

A bill to amend an act to incorporate the town of Adairsville.



Also, a bill to prevent any city, town or village from imposing a tax on land held for agricultural purposes in the corporate limits of the same.

Also, a bill to require Tax Receivers to take with tax returns, number of acres of land cultivated in different cereals.

By Mr. Wofford of Banks—

A bill to reduce the bond of the Sheriff of Banks county

Also, a bill to authorize the Tax Collector of Banks county to receive jury certificates for county tax.

By Mr. Peeples—

A bill to repeal certain sections of the Code therein named.

Also, a bill to amend the homestead laws of this State.

By Mr. Nutting—

A bill to protect the people of Georgia against the illegal and fraudulent issue of what are called State aid bonds, to the Brunswick & Albany Railroad Company.

By Mr. Bacon—

A bill to change the time of holding the Superior Courts of the Macon Circuit, and for other purposes.

Also, a bill to alter and amend the road laws of this State, so far as relates to the county of Bibb, and to authorize the Ordinary to levy and collect a tax for road purposes.

Also, a bill to legalize the county tax levied by the Ordinary of Dougherty county, for the year 1871.

By Mr. Hunter—

A bill to amend an act to compel non-residents to pay tax on the cattle and sheep running and grazing in the county of Colquitt.

Also, a resolution in relation to the Agricultural College Land Scrip, which was referred to the Committee on Agriculture and Manufactures.

By Mr. Baker of Bryan—

A bill to repeal all local road laws of the county of Bryan.

By Mr. Berrien—

A bill to amend section 2532 of the Code of Georgia.

Also, a bill relating to fences and the protection of crops.

By Mr. Russell—

A bill for the relief of Jackson, Lawton & Bassinger.

Also, a memorial from certain citizens of Savannah, which, without being read, was referred to the Committee on Finance.

By Mr. Hillyer—

A bill to appoint a commissioner for certain purposes.

Also, a bill to endow the Atlanta University

By Mr. Pentecost—

A bill to change the name of Bowdon Collegiate Institute.

Also, a bill to give the Ordinaries of the several counties of this State authority to issue attachments, and for other purposes.

By Mr. Cleghorn—

A bill to consolidate the Chattooga Coal & Iron and the Trion Railway Companies..

By Mr. Payne—

A bill to change the line between the counties of Catoosa and Walker.

Also, a bill to amend section 3434 of Irwin's Revised Code.

By Mr. Johnson of Clay—

A bill to amend the charter of the town of Fort Gaines.

Also, a bill to organize a county court in the county of Clay, and define its jurisdiction.

By Mr. Carlton—

A bill to amend section 650 of the Code, so far as relates to the county of Colquitt.

By Mr. Rutherford—

A bill to regulate and fix the pay of grand and traverse jurors in the county of Crawford.

By Mr. Stovall—

A bill to amend an act to incorporate the town of Thomson, in the county of Columbia, now McDuffie.

By Mr. Goldsmith—

A bill for the relief of William Hamby and Adaline Hendricks.

Also, a bill to incorporate the Stone Mountain, Lawrenceville & Athens Railroad Company

Also, a bill to amend an act amendatory of an act to incorporate the town of New Gibraltar, in DeKalb county, and change the name to Stone Mountain, and for other purposes.

By Mr. Franklin—

A bill to alter and amend the wild land laws of this State.

By Mr. Jackson—

A bill to incorporate the Atlanta & Tennessee Railroad Company.

Mr. McWhorter offered a resolution in relation to the Messenger's duties being performed by the assistant Messenger, which was agreed to.

Mr. Stovall offered a resolution that the Committee on Public Buildings examine and report on the safety of the capitol building, which was agreed to.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred a bill to be entitled an act to amend the charter of the city of Atlanta, by providing for the election of a Recorder and Auditor, and to prescribe their duties, have had the same under consideration, and recommend that it do pass.

E. F. HOGE, *Chairman.*

Mr. William D. Anderson, chairman of the Committee on Public Printing, submitted the following report:

*Mr. Speaker :*

The Committee on Public Printing have considered a resolution to authorize the purchase of the public laws passed at the present session, and for other purposes, and recommend that it do pass as amended.

WILLIAM D. ANDERSON, *Chairman.*

Mr. Fain, chairman of the Committee on New Counties and County Lines, submitted the following report:

*Mr. Speaker :*

The Committee on New Counties and County Lines have had under consideration the several following bills, to-wit:

A bill to be entitled an act to change the line between the counties of Carroll and Douglas, and to add a portion of the county of Douglas to the county of Carroll, and for other purposes therein named, which they recommend do not pass.

A bill to be entitled an act to change the line between the counties of Coffee and Ware, so as to include the residence of Merritt Meeks, in the county of Coffee, which they recommend do pass.

A bill to be entitled an act to change the county line between the county of Walker and the county of Dade, which they recommend do not pass.

A bill to be entitled an act to change the line between the counties of Clay and Calhoun, which they recommend do pass as amended.

J. C. FAIN, *Chairman.*

At the request of the Committee on Public Printing, Mr. Johnson of Spalding was added to the same.

At the request of the Committee on Agriculture and Manufactures, Mr. Jones of Terrell was added to the same.

Leave of absence was granted Messrs. Clark of Troup, Troup, Etheridge, Smith of Oglethorpe, Jenkins, Cody, O'Neal, and Meadows.

The House took a recess until 3 o'clock P. M.

## AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

On motion of Mr. Bryan, the rules were suspended, and the Clerk proceeded with the call of the counties for the introduction of new matter, which was unfinished this morning.

The following bills were introduced and read the first time :

By Mr. Jackson—

A bill to amend an act to incorporate the Gate City Insurance Company, of the city of Atlanta, and to change its name.

Also, a bill to extend the right of dissolving garnishments to persons other than defendants.

Also, a bill to amend section 4026 of Irwin's Revised Code.

Also, a bill to incorporate the Atlanta & Monticello Narrow Gauge Railway Company

By Mr. Hoge—

A bill to grant relief to John Caldwell, of the county of Fulton, and for other purposes.

By Mr. Pou—

A bill to amend an act to incorporate an insurance company in the city of Columbus, to be called the Home Fire & Marine Insurance Company of Columbus, Georgia.

Also, a bill to authorize the investment of trust funds upon certain terms and conditions.

By Mr. Wilson—

A bill to change the line between the counties of Fulton and Campbell.

By Mr. Dell—

A bill to create a County Board of Commissioners for the county of Screven, and for other purposes.

By Mr. Jones of Hart—

A bill to amend an act to extend the corporate limits of the town of Hartwell.

By Mr. Fain—

A bill to amend section 1626 of Irwin's Revised Code.

By Mr. McWhorter—

A bill to submit to the legal voters of Georgia, the question of abolishing the inclosures to farms in this State, and for other purposes.

By Mr. Simmons of Gwinnett—

A bill to incorporate the Macon & Knoxville Railroad Company, and for other purposes.

Also, a bill to allow William M. Hunnicutt, of Gwinnett county, to peddle without license.

Also, a bill to authorize the Ordinary of Gwinnett county, to issue bonds for the purpose of raising money to build a court-house.

By Mr. Bryan—

A resolution in relation to the appointment of Willie Jones as a page of this House.

By Mr. McMillan—

A bill to amend the laws in relation to receiving jury certificates in payment of county taxes in the counties of White and Habersham.

By Mr. Pierce—

A memorial from Fleming G. Grieve, which was referred to the Committee on Finance.

By Mr. Simmons of Hall—

A bill to repeal an act incorporating the town of Gainesville, under the name and style of the city of Gainesville, and to incorporate the same as a town, and for other purposes.

By Mr. Hancock—

A bill to incorporate the town of Jefferson.

By Mr. Johnson of Jefferson—

A bill to prohibit the sale and purchase in Jefferson county, of agricultural products after dark.

By Mr. Griffin of Houston—

A bill to incorporate the city of Fort Valley

Also, a bill to change the fees of officers of court so far as applies to Sheriffs of this State, in the keeping of live stock when levied on.

Also, a bill to require Justices of the Peace or Judicial Notaries in each militia district, to return to the Receiver of Tax Returns, all persons liable to pay taxes in their districts.

Also, a bill to create a Board of Commissioners of Roads and Revenue, in the county of Houston.

By Mr. Phillips—

A bill to amend an act to establish a system of public instruction, and for other purposes.

By Mr. Barron—

A bill to consolidate the offices of Sheriff and Tax Collector, in the county of Jones.

Also, a bill to incorporate the town of Clinton, in the county of Jones.

By Mr. McWhorter—

A resolution in relation to the introduction of new matter in this House.

By Mr. Riley—

A bill to compel owners of wild and uncultivated lands in this State, to register said lands in the county where the land lies, and for other purposes.

By Mr. Hall of Meriwether—

A resolution in reference to the fencing up of stock.

By Mr. Clower—

A bill to amend section ten of an act providing for setting apart a homestead.

Also, a bill to prescribe by law for jurors in the county of Monroe.

By Mr. Floyd—

A bill prescribing who shall be jurors in certain cases, in the county of Morgan.

By Mr. Howell—

A bill to change the line between the counties of Forsyth and Milton, so as to include the residence of William I. Bell, in the county of Milton.

Also, a bill to amend an act to incorporate the Grand Lodge, Knights of Jericho, of the State of Georgia, and for other purposes.

By Mr. Davis of Newton—

A bill to authorize the Governor to pay to the Treasurer of the Georgia State Agricultural Society the amounts due under act of December 20, 1860.

By Mr. Allred—

A bill to exempt certain parties from road duty in the county of Pickens.

Also, a bill to change the line between the counties of Pickens and Gilmer.

Also, a bill to repeal the school law of 1870.

By Mr. Knowles—

A bill to regulate the levying of taxes in the county of Pierce for county purposes.

Also, a bill to require the Tax Collector of Pierce county to receive jury certificates in payment of all taxes due said county.

By Mr. Baker of Pike—

A bill to compensate the grand and petit jurors of the county of Pike.

By Mr. Hendley—

A bill to change the line between the counties of Wilcox and Pulaski.

Also, a bill to make it a misdemeanor for any person in the night time to deliver or receive the products of a farm in the county of Pulaski.

By Mr. Clark of Richmond—

A bill to amend an act entitled an act to amend an act passed March 13, 1869, entitled an act to amend an act entitled an act to protect the planters of this State from imposition in the sale of fertilizers.

By Mr. McNeal—

A bill to make it unlawful for the Mayor and Council of any incorporated city or town in this State to levy a tax on cotton sales made in said cities or towns.

By Mr. Crittenden—

A bill to be entitled an act for raising a revenue and to appropriate money for the use of the government, and to make certain appropriations, and for other purposes therein mentioned.



By Mr. McNeal.

A bill to authorize the Ordinaries of this State to order the sale of homestead and personalty, when an issue is formed in relation to the valuation thereof. .

Also, a bill to secure the costs of the officers of court in the various courts of this State.

Also, a bill to incorporate the Farmers' & Mechanics' Loan and Trust Company of Cuthbert.

By Mr. Cumming—

A memorial of Catharine S. W Fleming, which, without being read, was referred to the Committee on Petitions and Memorials.

Also, a bill to amend an act to incorporate the proprietors of the Augusta Canal, and to confirm certain ordinances of the City Council of Augusta, and for other purposes.

Also, a bill for the relief of Catharine S. W Fleming.

By Mr. Snead—

A bill to promote the propagation of shad fish in the Savannah river, and to impose a penalty for fishing for said fish in said river on Sunday or Monday.

Also, a bill to amend section 635 of the Code of Georgia.

Also, a bill to amend section 4203 of the Code of Georgia.

By Mr. Hillyer—

A bill to revise the jury boxes throughout this State.

By Mr. Scott—

A bill to provide for the selling of horses, hogs or cattle that are levied on and claimed, when the levying officer has to keep said animals until the trial of said claim.

Also, a bill to amend section 3599 of the Code of Georgia.

By Mr. Lewis—

A bill to prescribe by law for jurors in the county of Stewart.

By Mr. Jones of Terrell—

A bill to fix the fees of the Sheriff of Terrell county for keeping stock.

By Mr. Griffin of Twiggs—

A bill to incorporate the town of Jeffersonville.

By Mr. Bowie—

A bill to amend article four, section two of the Constitution, upon the two-third vote of the present and next succeeding Legislature, and ratification by the qualified voters of this State.

By Mr. West—

A bill to exempt certain maimed and disabled persons from taxation.

By Mr. Wood of Walker—

A resolution in relation to the indorsement of the bonds of the Alabama & Chattanooga Railroad.

By Mr. Griffin of Twiggs—

A bill to incorporate the Griswoldville & Jeffersonville Railroad Company

By Mr. Emerson—

A bill to prevent the felling of timber in the Connauga river and Corhulla creek.

Also a bill to incorporate the Dalton & Southwestern Railroad Company.

By Mr. Bateman—

A bill to incorporate the town of Butler, in the county of Taylor.

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report, to-wit:

*Mr. Speaker:*

The Committee on Internal Improvements have had under consideration the following bills, and make the following recommendations:

A bill to be entitled an act to incorporate the Rome & Raleigh Railway Company, and recommend the same do pass.

Also, a bill to be entitled an act to authorize Callo-

way Campbell to erect a mill-dam across the Conna-sauga river, and recommend the same do pass.

Also, a bill to provide for the opening and clearing out of Cedar creek, and recommend the same do pass.

HALL of Üpson, *Chairman*.

Leave of absence was granted to Messrs. Brawner, Pierce, and Ormond.

On motion of Mr. Hoge, the House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,

Saturday, November 25, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Cox.

The Journal of yesterday was read and approved.

Mr. Bacon moved to reconsider so much of the Journal of yesterday as relates to the passage of the bill to fix the per diem pay of the officers and members of this General Assembly

Mr. W. D. Anderson made the point of order, that a motion to reconsider could not be entertained, the gentleman having failed to give notice during the reading of the Journal.

The Speaker ruled that the gentleman having given notice of a motion to reconsider on yesterday, had now the right to make the same.

Mr. Simmons of Gwinnett, made the point of order that the gentleman having voted against the passage of the bill, could not move to reconsider.

The Speaker ruled the point not well taken.

Mr. Woodward called the previous question.

The yeas and nays were called for, and the call sustained.

Those voting in the affirmative are Messrs.—

Atkinson,	Floyd,	McWhorter,
Bacon,	Flynt,	Moreland,
Barksdale,	Franklin,	Morris,
Barron,	Glover,	Murphy of Harris,
Battle,	Griffin of Houston,	Oliver,
Bell,	Guerry,	Paxton,
Berrien,	Guyton,	Pentecost,
Blue,	Hall of Meriwether,	Phillips,
Booth,	Head,	Renfroe,
Brewton of Tatnall,	Howell,	Richardson,
Brown,	Hughes,	Russell,
Campbell,	Jackson,	Rutherford,
Carlton,	Jones of Gwinnett,	Simmons of Gwinnett,
Chancey,	Jones of Hart,	Simmons of Hall,
Chastain,	Kelly,	Simmons of Houston,
Clower,	Kennedy,	Smith of Coweta,
Colby,	Knowles,	Snead,
Converse,	Lang,	Spence,
Cox,	Lewis,	Stovall,
Craig,	Mann,	Watters,
Davis of Clarke,	Mansfield,	Whatley,
Edwards,	Mattox,	Wofford of Bartow.
Farmer,	McConnell,	

Those voting in the negative are Messrs.—

Allred,	Graham,	Nutting,
Anderson, Wm. D.	Gray,	Palmer,
Anderson, Wm. P.	Hall of Upson,	Paulk,
Baker of Pike,	Hancock,	Payne,
Ballanger,	Hillyer,	Peebles,
Beaseley,	Hoge,	Reid,
Bowie,	Hudson,	Riley,
Braddy,	Johnson of Clay,	Scott,
Bryan,	Johnson of Jefferson,	Slaton,
Bunn,	Johnson of Spalding,	Summers,
Bush,	Jones of Terrell,	Summerlin,
Butts,	Killian,	Trammell,
Cato,	Lamkin,	West,
Cleghorn,	Martin,	Wilson,
Crittenden,	McMillan,	Wofford of Banks,
Davis of Newton,	McNeal,	Wood,
Emerson,	Morrison,	Woodall,
Goldsmith,	Netherland,	Wynn.
Goodman,		

Yeas, 71. Nays, 53.

So the motion to reconsider prevailed.

The Speaker announced that, under the rules, the reconsidered bill would go to the foot of the calendar.

Mr. Hoge moved to suspend the rules to take up the report of the committee of the citizens of Atlanta, who have had in charge the books and papers of the Western & Atlantic Railroad.

The motion did not prevail.

Mr. Scott moved to suspend the rules for the purpose of taking up the bill reconsidered this morning.

Mr. Jackson arose to discuss the question of suspending the rules.

Mr. Hoge made the point of order that there could be no debate on a motion to suspend the rules.

The Speaker ruled that the point was well taken.

No quorum voting on the motion to suspend, the Clerk proceeded to call the roll, to ascertain whether or not a quorum was present, and the following members answered to their names, Messrs.—

Allred,	Chastain,	Hall of Upson,
Anderson, Wm. D.	Clark of Richmond,	Hammond,
Anderson, Wm. P.	Cleghorn,	Hancock,
Atkinson,	Clower,	Head,
Bacon,	Colby,	Hillyer,
Baker of Pike,	Converse,	Hoge,
Ballanger,	Cox,	Howell,
Barksdale,	Craig,	Hudson,
Barron,	Davis of Clarke,	Hughes,
Battle,	Davis of Newton,	Jackson,
Beaseley,	Edwards,	Johnson of Clay,
Bell,	Emerson,	Johnson of Jefferson,
Berrien,	Fain,	Johnson of Spalding,
Blue,	Farmer,	Jones of Gwinnett,
Booth,	Floyd,	Jones of Hart,
Bowie,	Flynt,	Jones of Terrell,
Braddy,	Franklin,	Kelly,
Brewton of Tatnall,	Glover,	Kennedy,
Bryan,	Goldsmith,	Killian,
Bunn,	Goodman,	Knowles,
Bush,	Graham,	Lamkin,
Butts,	Gray,	Lang,
Campbell,	Guerrey,	Lewis,
Carlton,	Guyton,	Mann,
Cato,	Hall of Meriwether,	Mansfield,

Martin,	Peebles,	Snead,
Mattox,	Pentecost,	Spence,
McConnell,	Phillips,	Stovall,
McMillan,	Renfro,	Summers,
McNeal,	Richardson,	Summerlin,
McWhorter,	Riley,	Watters,
Morris,	Russell,	West,
Morrison,	Rutherford,	Whatley,
Murphy of Harris,	Scott,	Wilson,
Netherland,	Simmons of Gwinnett,	Wofford of Banks,
Nutting,	Simmons of Hall,	Wofford of Bartow,
Page,	Simmons of Houston,	Wood,
Paulk,	Slaton,	Woodward,
Paxton,	Smith of Coweta,	Wynn.
Payne,		

Present, 118.

So it was found that a quorum was present.

The motion to suspend the rules was put, and prevailed.

Mr. Jackson moved to strike out of the bill, as passed on yesterday, "ten," and insert "five" dollars as the per diem of the presiding officers, and to strike out "six" and insert "three" dollars as the per diem of the members.

Mr. Howell offered a substitute, providing for the payment of eight dollars per day to the presiding officers, five dollars per day to the members, and three dollars for every twenty miles traveled.

On motion of Mr. Simmons of Gwinnett, the House resolved itself into Committee of the Whole.

Mr. McWhorter, chairman of the Committee of the Whole, reported the bill back to the House with amendments.

Mr. Hoge moved that the report of the committee be agreed to.

Mr. Jackson renewed, as an amendment to the report, his motion made before going into Committee of the Whole.

Mr. Simmons of Gwinnett offered, as a substitute for the Whole, a bill of the same title as the bill under consideration, which was read.

The question being upon adopting the substitute, Mr. Hudson called the previous question, and the call was sustained.

A call for the yeas and nays was not sustained.

The substitute was put and lost.

Mr. McWhorter made the point of order that the substitute for the whole having been lost, no further amendments to the report of the committee could be submitted.

The Speaker ruled the point not well taken.

Mr. Jackson's amendment was then put and lost.

The report of the Committee of the Whole was then agreed to.

The bill was then read and put upon its passage.

Mr. Jackson called for the yeas and nays, and the call was sustained.

Those voting in the affirmative are Messrs.—

Allred,	Cato,	Hall of Meriwether,
Anderson, Wm. D.	Chancey,	Hall of Upson,
Atkinson,	Chastain,	Head,
Bacon,	Clark of Richmond,	Hillyer,
Baker of Pike,	Clerghorn,	Hoge,
Ballanger,	Clower,	Howell,
Barksdale,	Colby,	Hudson,
Barron,	Converse,	Hughes,
Bateman,	Cox,	Jackson,
Battle,	Craig,	Johnson of Clay,
Beaseley,	Crittenden,	Johnson of Jefferson,
Bell,	Davis of Newton,	Johnson of Spalding,
Berrien,	Edwards,	Jones of Gwinnett,
Blue,	Emerson,	Jones of Hart,
Booth,	Farmer,	Jones of Macon,
Bowie,	Floyd,	Jones of Terrell,
Braddy,	Flynt,	Kelly,
Brewton of Tatnall,	Franklin,	Kennedy,
Bruton of Decatur,	Glover,	Knowles,
Brown,	Goldsmith,	Lamkin,
Bryan,	Goodman,	Lang,
Bunn,	Graham,	Mann,
Bush,	Gray,	Mansfield,
Butts,	Gueerry,	Martin,
Carlton,	Guyton,	Mattox,

McConnell,	Pentecost,	Stovall,
McNeal,	Phillips,	Summers,
McWhorter,	Reid,	Sumerlin,
Moreland,	Renfroe,	Trammell,
Morris,	Russell,	Watters,
Morrison,	Rutherford,	West,
Murphy of Harris,	Scott,	Whatley,
Netherland,	Simmons of Gwinnett,	Wilson,
Nutting,	Simmons of Hall,	Wofford of Banks,
Oliver,	Simmons of Houston,	Wofford of Bartow,
Paulk,	Slaton,	Wood,
Paxton,	Smith of Coweta,	Woodward,
Payne,	Snead,	Wynn.
Peeples,	Spence,	

Those voting in the negative are Messrs.—

Anderson, Wm. P.	Hancock,	McMillan,
Campbell,	Killian,	Palmer,
Davis of Clark,	Lewis,	Riley.
Griffin of Houston,		

Yeas, 108. Nays, 11.

So the bill passed.

Mr. Simmons of Gwinnett gave notice that he would move on Monday, to reconsider the action of the House in passing this bill.

Mr. Phillips, chairman of the Committee on Privileges and Elections, made the following report:

*Mr. Speaker:*

The Committee on Privileges and Elections beg leave to report that we have had under consideration a resolution directing us to inquire whether Mr. L. C. Jones, the Representative from the county of Macon, is a citizen of said county or not; and we respectfully submit, that after serving Mr. Jones with a notice, and hearing the evidence in the case, that we are unanimously of the opinion that said Jones is not a citizen of said county. We therefore recommend that his seat be declared vacant.

R. W. PHILLIPS, *Chairman.*



Mr. Crittenden, chairman *pro tem.* of the Committee on Finance, submitted the following report, to-wit:

*Mr Speaker:*

The Committee on Finance have had under consideration the following bills, to-wit:

A bill entitled an act to relieve O. P. Anthony, Tax Collector of Clay county, which they recommend do pass.

Also, sundry bills regulating the pay of jurors in the counties of Paulding and Sumter, which they recommend do pass.

Also, a bill to authorize the City Council of Dalton to issue bonds for educational purposes, which they recommend do pass, after striking out the third section.

Also, a bill to be entitled an act for the relief of Mary Edmonson from taxation, which they recommend do not pass.

Also, a bill entitled an act to authorize the City Council of LaGrange to issue bonds to aid in building a railroad, and for other purposes, which they recommend do pass.

Also, a bill entitled an act to provide for the payment of a portion of the fund raised for school purposes to the city of Columbus, which they recommend do pass.

Also, an act to authorize the Ordinary of Randolph county to issue bonds to build a new court-house, and for other purposes, which they recommend do pass.

R. F. CRITTENDEN,

*Chairman pro tem. Finance Committee.*

On motion of Mr. Summerlin, the rules were suspended, and the following bill, introduced by himself, was read the first time:

A bill to reduce the Sheriff's bond of Heard county.

Mr. Wofford of Bartow moved to suspend the rules for the purpose of reading bills the first time.

The motion prevailed, and the following bills were introduced and read the first time :

By Mr. Jones of Terrell—

A bill to incorporate the city of Dawson, in the county of Terrell.

By Mr. Hudson—

A bill to provide for the payment of two judgments obtained against the State, under the act of April 17, 1863.

Also, a bill to alter and amend an act to incorporate the Newnan & Americus Railroad Company.

By Mr. Wofford of Bartow—

A bill to amend an act to incorporate the town of Kingston, in Bartow county.

Also, a bill to incorporate the Georgia & Alabama Coal and Iron Mining and Manufacturing Company, and for other purposes.

Also, a resolution to inquire into the status of the law appropriating money to supply artificial limbs.

By Mr. Cleghorn—

A bill to revive and declare of force and effect, in the county of Chattooga, an act to organize a criminal court for each county in this State.

By Mr. Jenkins—

A bill to authorize the Ordinaries of this State to appoint constables.

Also, a bill to alter the road laws, so far as relates to the county of Worth.

Also, a bill to compel non-residents of the county of Worth to pay the *ad valorem* tax on sheep owned by them in said county to the Tax Collector of Worth.

By Mr. Lipsey—

A bill to provide for the levying and collection of a tax for the payment of insolvent criminal costs in the county of Lee.

By Mr. Payne—

A bill to correct and amend an act to incorporate the Atlanta & Mountain Railroad Company

By Mr. Converse—

A bill to incorporate the Grand Bay Paper Manufacturing Company.

By Mr. McMillan—

A bill to establish a Board of Commissioners of Roads and Revenue in the county of Habersham.

By Mr. Bush—

A bill to provide by law for the division of homesteads in this State.

By Mr. Glover—

A bill to authorize the Governor to order an election for Ordinary in the county of Sumter.

By Mr. Craig—

A bill to amend the road laws of this State.

Also, a resolution in relation to the transcribing of certain numerical land books by E. I. Williams, and providing for his compensation therefor.

By Mr. Emerson—

A memorial from certain citizens of Dalton, which, without being read, was referred to the Committee on Petitions and Memorials.

By Mr. Murphy of Harris—

A resolution to reduce the pay of the Clerk of the Supreme Court.

The Senate bill to alter and amend sections 1835 and 1038 of the Revised Code, and for other purposes, was read the second time and ordered to be engrossed.

The following bills were read the third time and passed:

A bill for the relief of O. P. Anthony, Tax Collector of the county of Clay.

A bill to amend an act to secure the proceeds, profits or rents arising from homesteads in this State, and for other purposes.

A substitute, reported by the Committee on the Judiciary, for a bill to alter and amend section 3472 of Irwin's Revised Code.

A bill to repeal an act to alter and amend section 4245 of Irwin's Revised Code.

A bill to change the line between the counties of Upson and Pike.

A substitute, reported by the Committee on the Judiciary, for the bill to repeal section 121 of the Code.

A substitute for a bill to amend paragraph 632 of the Code, and allow the Coroners certain fees unprovided by law, and for other purposes.

A bill to punish any person or persons who shall assume to perform the duties of Constable in the city of Savannah, unless he or they have been elected or appointed, and qualified in accordance with the statute of the State of Georgia.

A bill to legalize the action of the Clerk of Wilcox county as Ordinary, and to authorize said Clerk to levy a tax for county purposes.

A bill to authorize agents and attorneys at law to make oath to pleas in all cases requiring pleas to be filed under oath.

A bill to repeal an act consolidating the offices of Tax Receiver and Collector for Charlton county.

A bill to incorporate the LaGrange Banking & Trust Company, was read the third time, and put upon its passage.

A majority of two-thirds being required by the Constitution, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Allred,	Bowie,	Cleghorn,
Bacon,	Braddy,	Clower,
Baker of Pike,	Brewton of Tatnall,	Converse,
Barksdale,	Bruton of Decatur,	Cox,
Barron.	Bryan,	Crittenden,
Bateman,	Bunn,	Davis of Clarke,
Battle,	Bush,	Emerson,
Beaseley,	Campbell,	Farmer,
Bell,	Cato,	Floyd,
Berrien,	Chancey,	Flynt,
Blue,	Chastain,	Franklin,
Booth,	Clark of Richmond,	Goldsmith,

Goodman,	Lamkin,	Riley,
Graham,	Lang,	Russell,
Gray,	Lewis,	Rutherford,
Griffin of Houston,	Mann,	Scott,
Guerrey,	Mansfield,	Simmons of Gwinnett,
Guyton,	Martin,	Simmons of Hall,
Hall of Meriwether,	Mattox,	Slaton,
Hall of Upson,	McConnell,	Smith of Coweta,
Hancock,	McMillan,	Snead,
Head,	Moreland,	Spence,
Hillyer,	Morris,	Stovall,
Hoge,	Morrison,	Trammell,
Howell,	Netherland,	Watters.
Hudson,	Nutting,	West,
Hughes,	Oliver,	Whatley,
Johnson of Clay,	Palmer,	Wilson,
Johnson of Jefferson,	Paxton,	Wofford of Banks,
Johnson of Spalding,	Payne,	Wofford of Bartow,
Jones of Gwinnett,	Pentecost,	Wood,
Jones of Hart,	Reid,	Woodward,
Jones of Terrell,	Renfroe,	Wynn.
Kelly,		

Those voting in the negative are Messrs.—

Carlton,	Glover,	McWhorter.
Colby,		

Yeas, 97. Nays, 4.

So the bill was passed by a constitutional majority of two-thirds.

Mr. Simmons of Hall moved that when this House adjourn, it adjourn until ten o'clock A. M. on Monday next.

The motion prevailed.

Mr. Bacon moved that the session be extended thirty minutes.

Mr. McMillan moved that it be extended two hours.

The motion of Mr. McMillan was lost, and that of Mr. Bacon prevailed.

The following bills were read the third time and lost:

A bill to repeal the District Court bill so far as relates to the Twenty-First District.

A bill to amend section 2261 of Irwin's Revised Code.

A bill to prescribe the mode of repealing the Code, or any part thereof.

A bill to repeal the District Court bill so far as relates to the Seventeenth Senatorial District.

A bill to repeal an act to establish the District Courts.

A bill to change the boundaries of Glynn, Wayne and Camden counties.

The following messages from the Executive Department were taken up and read :

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 21, 1871.

*To the Honorable Speaker of the House of  
Representatives :*

SIR: I have the honor to transmit herewith the report of the Honorable the Secretary of State, showing that, from the returns of an election held on the 15th November instant, in the county of Heard, for a Representative to fill the vacancy caused by the death of Hon. B. Simms, which returns have been transmitted to, and are now of file in his office, it appears that the Hon. M. C. Summerlin received a majority of the votes cast at said election for a Representative to represent the county of Heard, in the House of Representatives of this State.

BENJAMIN CONLEY, *Governor*

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 23, 1871.

*To the General Assembly :*

I have the honor to transmit herewith, for the consideration of your honorable body, the report of the Board of Trustees of the Georgia Academy for the Blind, for the years 1870 and 1871.

BENJAMIN CONLEY, *Governor*.

The report accompanying this message was referred to the Committee on the Blind Asylum.

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., November 25, 1871.

*To the Senate and House of Representatives:*

I have the honor to transmit herewith a copy of a communication addressed to myself by the commissioners appointed under authority of a joint resolution of the last Legislature to revise the Code of Georgia, and respectfully call attention to the importance of giving this subject early consideration, and such direction as, in your wisdom, you may deem proper.

BENJAMIN CONLEY, *Governor*

The communication accompanying this message was referred to the Committee on the Judiciary.

A bill to bring on an election for Governor of Georgia, to fill the unexpired term caused by the resignation of Governor Bullock, was read the third time and indefinitely postponed.

A bill to change the line between DeKalb and Gwinnett counties, was read the third time.

Pending action thereon, the House adjourned until 10 o'clock A. M. on Monday next.

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ATLANTA, GEORGIA,  
Monday, November 27, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev Mr. Cox.

The Journal of Saturday was read and approved.

Mr. Hillyer moved to reconsider so much of the Journal of Saturday as relates to the loss of a bill to change the boundaries of Glynn, Ware and Camden counties.

The motion prevailed.

On motion of Mr. Hudson, the report of the Committee on Privileges and Elections in relation to the seat of Mr. L. C. Jones on this floor, was taken up and adopted.

Mr. Hoge moved to suspend the rules for the purpose of taking up the Senate bill to repeal the twentieth section of an act, approved October 25, 1870.

The motion prevailed, and the bill was read the third time and passed, and ordered to be transmitted forthwith to the Senate.

On motion of Mr. Simmons of Gwinnett, the rules were suspended, and the Senate bill to alter and amend sections 1035 and 1038 of the Revised Code, and for other purposes, was taken up and read the third time and passed.

Mr. Graham moved to suspend the rules for the purpose of taking up a substitute, agreed to by the Senate, for the House resolution to appoint a joint committee to investigate the affairs of this State.

The rules were suspended and the substitute concurred in.

Mr. McMillan offered a resolution, providing for the arrest of any person whom the evidence introduced before any of the committees, specified in the substitute, shall show to be guilty of any violation of the laws of this State.

The rules were suspended, and the resolution agreed to.

The unfinished business of Saturday, the same being a bill to change the line between DeKalb and Gwinnett counties, was taken up.

Mr. Simmons of Gwinnett moved to postpone indefinitely the bill and amendment thereto, reported by the Committee on New Counties and County Lines.

The motion did not prevail.

The report of the committee was then agreed to, and the bill, as amended, was passed.

The special order of the day was taken up, to-wit:



a resolution offered by Mr. Bacon, in relation to the granting of State aid to railroads.

Mr. Scott moved to refer the same to the Committee on the Judiciary, with instructions to report at an early day

Mr. Richards called the previous question, and the call was sustained.

The motion of Mr. Scott did not prevail, and the resolution was agreed to.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bill of the House of Representatives, with an amendment, in which they ask the concurrence of the House of Representatives:

A bill to alter sections 244 and 4841 of the Revised Code of Georgia.

The Senate has also agreed to a resolution in relation to a canal connecting the Mississippi Valley and the Atlantic seaboard.

The Senate has concurred in the following resolution of the House of Representatives:

A resolution in relation to refunding the tax on raw cotton, collected during the years 1865, 1866 and 1867, under the revenue laws of the United States.

The Senate has agreed to the following resolution, in lieu of the resolution of the House of Representatives, appointing a committee to inquire into the various departments of the State Government, in which they ask the concurrence of the House of Representatives, to-wit:

A resolution appointing certain committees to inquire into and make a thorough investigation of all departments of the State Government, and to report thereon to the General Assembly at its next session.

The Senate has also passed the following bill:

A bill to provide a remedy whereby money or property stolen or illegally detained from the State may be recovered, and for other purposes.

The Senate has also concurred in the amendment of the House of Representatives to a resolution of the Senate, appointing a select joint committee to inquire into and report a bill in relation to the apportionment of Representatives in the General Assembly.

Mr. Jackson, chairman of the Committee on Education, submitted the following report:

*Mr Speaker :*

The Committee on Education instruct me to report the accompanying bills and resolutions, as the result of the joint labors of the Senate and House committees on the subject of public instruction.

The committee recommend that a bill to be entitled an act to repeal an act entitled an act to establish a system of public instruction, do not pass.

HENRY JACKSON, *Chairman.*

On motion of Mr. Jackson, the rules were suspended, and the following bills, introduced by him in pursuance of the foregoing report, were read the first time, and 300 copies of each ordered to be printed for the use of the General Assembly :

A bill to secure to educational purposes the funds now due to the department of education, to fund the same, and for other purposes.

A bill to amend an act to establish a system of public instruction, approved October 13, 1870, and for other purposes.

The following bills were read the third time and passed :

A bill to amend the acts relative to fees of the Clerk of the Superior Court of Chatham county, and the

Clerk of the City Court of Savannah, Georgia, and fees of the Sheriffs of Chatham county, and City Court of Savannah, unprovided for, and to point out the manner of collecting the same.

This bill was passed, as a substitute, for bill No. 11.

A bill to incorporate the Rome & Raleigh Railway Company

A bill to make it legal for Sheriffs, Coroners and other levying officers to sell certain kinds of personal property without exposing the same before the court-house door at the time of sale.

A bill to allow maimed and indigent soldiers to peddle in this State without license.

Passed, as amended, as a substitute for bill No. 53.

The following bills were read the third time and lost:

A bill to repeal an act organizing courts in the Senatorial Districts of this State.

A bill to regulate the return and trial of causes at law and in equity in the Superior Courts of this State.

A bill for the relief of M. J. Griffin, of the county of Lowndes.

A bill to provide for certain sales with right of redemption by the vendor, and to fix a penalty for illegal acts done in connection with and pursuance of said sales, and for other purposes, was read the third time and recommitted to the Committee on the Judiciary

The House took a recess until 3 o'clock P. M.

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#### AFTERNOON SESSION, 3 o'clock P.M.

The House reassembled.

Leave of absence was granted to the Committees on Privileges and Elections and Finance, during the afternoon, for the purpose of bringing up the business referred to the same.

The following bills were read the second time, and referred to the Committee on the Judiciary:

A bill to revise the jury-box of Fayette county

A bill to repeal an act to consolidate the offices of Tax Receiver and Collector for the county of Dade.

A bill to amend the usury laws of this State.

A bill to amend an act to alter and amend the several acts incorporating the city of Macon, approved December 27, 1847, and the several acts amendatory therto, to grant additional powers to the Mayor and Council of the city of Macon, and for other purposes.

A bill to regulate the wages of labor, in certain cases, in the county of Clarke.

A bill for the protection of the Clerks of the Superior Courts and Sheriffs of this State, and secure their fees, and for other purposes.

A bill to make the compensation of grand, tales and petit jurors in the counties of Taylor and Chattahoochee, two dollars per day.

A bill to exempt from jury duty in the county of Chatham, all regular licensed physicians who are actually engaged in the practice of their profession.

A bill to authorize Nathan Chapman to exhibit slight of hand, etc., free of taxes.

A bill to alter and amend the third paragraph of section 2448 of Irwin's Revised Code, so far as to increase the interest of the wife as an heir-at-law in the estate of her deceased husband.

A bill to alter and change the time of holding the Superior Courts in the counties of the Middle Circuit of this State.

A bill to amend section 4026 of Irwin's Revised Code, touching the trial of nuisances in the case of a grist or saw mill or other water machinery of valuable consideration.

A bill to change the time of holding the Superior Court of Richmond county.

A bill to grant relief to John Caldwell, of Fulton, and for other purposes.

A bill to authorize the investment of trust funds upon certain terms and conditions.

A bill to compensate the grand and petit jurors of the county of Pike.

A bill to amend section 1626 of Irwin's Revised Code, by adding to said section the words "and cooking stoves and their fixtures."

A bill for the election and creation of a Board of County Commissioners for the county of Screven, and for other purposes.

A bill to regulate labor in the county of Baldwin.

A bill to prescribe who shall be jurors, in certain cases, in Baldwin county.

A bill to amend an act to incorporate the town of Adairsville, approved the eighth day of February, 1854.

A bill to reduce the bond of the Sheriff of Banks county

A bill to repeal certain sections of the Code therein named.

A bill to amend the homestead laws of this State.

A bill to alter and amend the road laws of this State, so far as relates to the county of Bibb, and to authorize and require the Ordinary of said county to levy and collect a tax for road purposes.

A bill to legalize county tax levied by the Ordinary of Dougherty county for the year 1871.

A bill to provide for selling horses, hogs or cattle that are levied on and claimed, when the levying officer has to keep said animals until the trial of said claim.

A bill to alter and amend section 3434 of Irwin's Revised Code.

A bill for the relief of William Hamby and Adaline Hendricks, both of DeKalb county

A bill to organize a county court in the county of Clay, and to define its jurisdiction, and for other purposes.

A bill to give the Ordinaries of the several counties

of this State authority to issue attachments, and for other purposes.

A bill to amend section 4203 of the Code of Georgia.

A bill to authorize the Ordinaries in the various counties of this State to order the sale of homestead and personalty, when an issue is formed in relation to the valuation thereof.

A bill to create a Board of Commissioners of Roads and Revenue in the county of Houston.

A bill to fix the fees of the Sheriff of Terrell county for keeping horses and mules in his possession under legal process.

A bill to consolidate the offices of Sheriff and Tax Collector in the county of Jones.

A bill to prescribe by law for jurors in certain cases.

A bill to change the fees of officers of court, so far as applies to Sheriffs, in keeping stock levied on.

A bill to authorize the Ordinaries of this State to appoint Constables under certain circumstances.

A bill to prescribe who shall be jurors in certain cases.

A bill to reduce the Sheriff's bond of Heard county

A bill to provide for levying and collecting a tax to pay insolvent criminal costs in Lee county.

A bill to establish a Board of Commissioners of Roads and Revenue for the county of Habersham.

A bill to alter and amend the road laws of this State.

A bill to provide for the division of homesteads in this State.

A bill to prescribe for jurors in Monroe county

A bill to amend section ten of an act to provide for setting apart a homestead.

A bill to authorize the Governor to order an election for Ordinary in the county of Sumter.

A bill to require Justices of the Peace or Judicial Notaries to return to the Tax Receiver all persons liable to pay taxes in their districts.

A bill to amend article four, section two of the Constitution, upon the two-thirds vote of the present and

next succeeding Legislature, and ratification by the qualified voters of this State.

A bill to revive and declare of force, in the county of Chattooga, an act to organize a criminal court for each county in this State.

A bill to extend the right of dissolving garnishments to others than defendants.

A bill to appoint a commission for certain purposes.

A bill to amend section 2532 of the Code of Georgia.

A bill to make it unlawful for the Mayor and Council of any incorporated city or town in this State to levy a tax on cotton sales made in said cities or towns.

A bill to provide for the payment of two judgments obtained against the State under the act of seventeenth April, 1863.

A bill to revise the jury boxes throughout the State.

A bill to alter and amend section 650 of the Code, so far as relates to the county of Colquitt.

A bill to secure the costs of the officers of court in the various courts of this State.

A bill to amend section 635 of the Code of Georgia.

A bill to amend section 3599 of the Code of Georgia.

The bill to explain and alter sections 244 and 4841 of the Revised Code of Georgia, was taken up, and the Senate amendment thereto concurred in.

The following bills were read the second time, and referred to the Committee on Finance:

A bill to authorize the Ordinary of Early county to levy a tax sufficient to supply the paupers of said county with medicines, and for other purposes.

A bill for the relief of B. Chancey, Tax Collector of Early county for the year 1869.

A bill to regulate the pay of jurors in the county of Clayton.

A bill to provide more effectually for the payment of taxes due by employees.

A bill for raising a revenue, and to appropriate money for the use of the Government, and to make certain appropriations, and for other purposes.

A bill to require Tax Receivers to take with tax returns number of acres of land cultivated in different cereals.

A bill to amend an act to compel non-residents to pay tax on cattle and sheep running and grazing in the county of Colquitt.

A bill for the relief of Catharine S. W. Fleming.

A bill to alter and amend the wild land laws of this State.

A bill to exempt certain maimed persons from taxation.

A bill to regulate the levying of taxes in the county of Pierce.

A bill to authorize the Governor to pay the Treasurer of the Georgia State Agricultural Society, the amount due under act of December 20, 1860.

A bill to require the Tax Collector of Pierce county to receive jury scrip in payment of taxes due said county.

A bill to require owners of wild lands to register said lands in the county where the land lies.

A bill for the relief of Jackson, Lawton & Basinger.

A bill to endow the University of Georgia, was withdrawn.

The following bills were read the second time, and referred to the Committee on Internal Improvements:

A bill to incorporate the Atlanta & Monticello Narrow-Gauge Railway Company.

A bill to incorporate the Macon & Chattahoochee Railroad Company.

A bill to incorporate the Macon & Knoxville Railroad Company.

A bill to amend an act to incorporate the Lookout Mountain Railroad Company, and to extend the aid of the State to the same, and for other purposes.

A bill to correct and amend an act to incorporate the Atlanta & Lookout Railroad Company.



A bill to alter and amend an act to incorporate the Newnan & Americus Railroad Company

The following bills were read the second time and referred to the Committee on New Counties and County Lines :

A bill to change the line between McDuffie and Columbia counties.

A bill to lay out a new county from the counties of Coweta, Fayette, Spalding and Meriwether.

A bill to change the line between the counties of Campbell and Fulton.

A bill to change the line between the counties of Wilcox and Pulaski.

A bill to change the line between the counties of Pickens and Gilmer.

A bill to change the line between the counties of Catoosa and Walker.

A bill to change the line between the counties of Forsyth and Milton.

The following bills were read the second time and referred to the Committee on Corporations :

A bill to incorporate the Mutual Protection Insurance Company of the State of Georgia.

A bill to incorporate the College of Pharmacy and Health in the city of Macon.

A bill to amend an act to incorporate the town of Norcross, in the county of Gwinnett.

A bill to incorporate the town of Dublin, in Laurens county

A bill to alter and amend the several acts incorporating the town of Sandersville, and confer upon said town a municipal government, with all the rights and privileges usually enjoyed by cities in Georgia.

A bill to incorporate the Georgia Diamond Mining Company.

A bill to incorporate the town of Lawtonville.

A bill to amend an act to incorporate the Home Fire & Marine Insurance Company of Columbus, Georgia.

A bill to extend the corporate limits of the town of Hartwell.

A bill to repeal an act incorporating the town of Gainesville, under the name and style of the city of Gainesville, and to incorporate the same as a town.

A bill to incorporate the town of Jefferson.

A bill to incorporate the city of Fort Valley

A bill to consolidate the Chattooga Coal & Iron and Trion Railway Companies.

A bill to amend an act to incorporate the town of Thomson.

A bill to incorporate the Stone Mountain, Lawrenceville & Athens Railroad Company

A bill to amend an act amendatory of an act to incorporate the town of New Gibraltar, in DeKalb county, and to change the name of the same to Stone Mountain.

A bill to incorporate the Dalton & Southwestern Railroad Company.

A bill to incorporate the town of Butler.

A bill to incorporate the city of Darien.

A bill to incorporate the Griswoldville & Jeffersonville Railroad Company.

A bill to amend an act to incorporate the Grand Lodge of Knights of Jericho, of the State of Georgia.

A bill to alter and change the road laws so far as relates to the county of Worth.

A bill to incorporate the town of Jeffersonville.

A bill to incorporate the town of Clinton.

A bill to amend an act to incorporate the Gate City Insurance Company, of the city of Atlanta.

A bill to incorporate the Georgia & Alabama Coal and Iron Mining and Manufacturing Company

A bill to amend an act to incorporate the town of Kingston.

A bill to incorporate the Atlanta & Tennessee Railroad Company.

A bill to amend the charter of the town of Fort Gaines.

A bill to incorporate the Grand Bay Paper Manufacturing Company

The following bills were read the second time, and referred to the Committee on Banks:

A bill to incorporate the Exchange Bank of Macon.

A bill to incorporate the Farmers' & Mechanics' Loan and Trust Company of Cuthbert, Georgia.

The following bills were read the second time, and referred to the Committee on Education:

A bill to amend an act to establish and incorporate a Medical College in the city of Savannah.

A bill to endow the Atlanta University

A bill to amend an act to establish a system of public instruction, and for other purposes.

A bill to repeal the school law of 1870.

The following bills were read the second time, and referred to the Committee on Agriculture and Manufactures:

A bill to amend an act entitled an act to amend an act passed March 13, 1869, entitled an act to amend an act entitled an act to protect the planters of this State from imposition in the sale of fertilizers.

A bill to submit to the legal voters of Georgia the question of abolishing the enclosures to farms in this State, and for other purposes.

A bill to prohibit the sale and purchase in Jefferson county of agricultural products after dark.

A bill to be entitled an act relating to fences, and for the protection of crops.

A bill to prohibit the falling of timber and obstructions in the Connasauga river and Coohulla creek.

A bill to compel non-residents of the county of Worth to pay tax on sheep in the county of Worth.

A bill to protect the people of Georgia against the illegal and fraudulent issue of what are called State aid bonds to the Brunswick & Albany Railroad Company, was read the second time, and referred to the Committee on Public Expenditures.

The following bills were read the second time and committed :

A bill to make it a misdemeanor for any person, in the night time, to deliver or receive the products of a farm in the county of Pulaski.

A bill to promote the propagation of shad fish in the Savannah river, and to impose a penalty for fishing for the same in said river on Sunday or Monday.

A bill to change the time of holding the Superior Courts of the Macon Circuit.

A bill to amend an act to incorporate the proprietors of the Augusta Canal, and to confirm certain ordinances of the City Council of Augusta, relating to said canal.

A bill to regulate the pay of grand and traverse jurors in the county of Crawford.

A bill to exempt certain parties from road duty in the county of Pickens.

The following bills were read the second time and ordered to be engrossed :

A bill to authorize the Ordinary of Gwinnett county to issue bonds for the purpose of raising money to build a court-house.

A bill to allow William M. Hunnicutt, of Gwinnett county, to peddle without license.

A bill to amend the laws in relation to receiving jury certificates in payment of county taxes in the counties of White and Habersham.

A bill to authorize the Tax Collector of Banks to receive jury certificates for county tax.

A bill to repeal all local road laws of the county of Bryan.

A bill to prevent any city, town or village from imposing tax on land held for agricultural purposes in the corporate limits of the same.

A bill to change the name of Bowdon Collegiate Institute.

Mr. Cody, chairman *pro tem.* of the Committee on Education, submitted the following report, to-wit:

*Mr Speaker:*

The Committee on Education have had under consideration a bill to be entitled an act to establish a permanent board of education and orphanage for the county of Bibb, and to incorporate the same, and to define its duties and powers, and for other purposes, and recommend that it do pass.

D. C. CODY, *Chairman pro tem.*

Mr. Hoge offered a resolution in relation to the introduction of new matter, which was agreed to.

Mr. Stovall offered a resolution authorizing any committee, when two or more bills or resolutions on the same subject matter are referred to it, to report a substitute for the same, which was agreed to.

On motion, the rules were suspended and the following bills were introduced and read the first time:

By Mr. Farmer—

A bill to create a Board of Commissioners for McIntosh county.

By Mr. Griffin of Houston—

A bill to incorporate the Atlantic, Fort Valley & Memphis Railroad Company

By Mr. Goodman—

A bill for the relief of James H. Winn, Tax Collector of Campbell county.

By Mr. Simmons of Gwinnett—

A bill to alter and amend section 3496 of Irwin's Revised Code.

By Mr. Fain—

A bill to regulate State aid, when applied to narrow-gauge railroads, in this State.

Also, a bill to change the time of holding the Superior Courts of the county of Gordon.

By Mr. Farmer—

A bill to authorize the Board of Commissioners for Liberty county, to levy a tax on pistols, guns and dogs, for county purposes.

By Mr. Goodman—

A bill to change the lines between the counties of Douglas and Paulding, and between the counties of Douglas and Cobb.

By Mr. Summerlin —

A bill to authorize William J. Taylor, of the county of Heard, to practice medicine, so far as relates to cancerous tumors and all cancerous diseases, and to charge and collect for the same.

By Mr. Cato—

A bill for the relief of F M. Lofton, and for other purposes.

By Mr. Griffin of Houston—

A bill to alter and amend an act to incorporate the Georgia Military Institute, and for other purposes.

The House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Tuesday, November 28, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev Mr. Jones.

The Journal of yesterday was read and approved.

Mr. Simmons of Gwinnett moved to reconsider so much of the Journal as relates to the passage of a bill

to change the line between DeKalb and Gwinnett counties.

On motion of Mr. Goldsmith, the motion to reconsider was laid on the table.

A resolution offered by Mr. Crittenden, in relation to the observance of Thursday, thirtieth instant, as a day of thanksgiving, was read and agreed to.

Messrs. Crittenden and Collins were appointed, upon the resolution, as committee from the House to make the necessary arrangements for divine services in this Hall, on said day.

On motion of Mr. Phillips, the rules were suspended, and the Senate bill to repeal so much of an act assented to October 17, 1870, as creates the Allapaha Judicial Circuit, and to add the county of Lowndes to the Southern Judicial Circuit, and the counties of Echols, Clinch, Coffee and Ware to the Brunswick Circuit, was read the first time.

The following report was made by Mr. Anderson, chairman of the Committee on Corporations:

*Mr. Speaker :*

The Committee on Corporations have considered a bill to alter and amend the several acts incorporating the town of Sandersville, etc., and recommend that it do pass, as amended.

WILLIAM D. ANDERSON, *Chairman*.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker :*

The Committee on the Judiciary, to whom was referred a bill to be entitled an act to alter and change the time of holding the Superior Courts in the counties of the Middle Circuit of this State, have had the same under consideration, and recommend that it do pass.

E. F. HOGE, *Chairman*.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to compensate grand and traverse jurors in the county of Polk.

Also, a bill to authorize the County Commissioners of Pike county to audit the claims of officers for extra services, and for other purposes.

Also, a bill to change the line between the counties of McIntosh and Liberty

Also, a bill to repeal an act entitled an act to organize a District Court, and for other purposes.

Also, a bill to change the charter of the University of Georgia.

Also, a bill to repeal an act entitled an act to provide for an election, and to alter and amend the laws in relation to holding elections.

The Senate has also passed the following bills of the House of Representatives, with certain amendments, in which they ask the concurrence of the House of Representatives:

A bill to compensate grand and traverse jurors in the county of DeKalb, and for other purposes.

Also, a bill to repeal an act entitled an act to declare the poll tax of 1868, 1869 and 1870 illegal, and to prevent the collection of the same.

The following bills were read the third time and passed:

A bill to alter and change the time of holding the Superior Courts in the counties of the Middle Circuit.

A bill to amend an act entitled an act to incorporate the Habersham & Union Turnpike Company, and to change the name of the same.

A bill to authorize the town council of the town of Calhoun, to aid in the construction of the North Georgia & North Carolina Railroad.



A bill to amend section 3895 of Irwin's Revised Code.

A bill to amend the charter of the city of Atlanta, by providing for the election of a Recorder and Auditor, and to prescribe their duties.

A bill to authorize payment of costs to officers of court of Bartow county

A bill to repeal part of section eight of an act to incorporate the town of Preston.

A bill to repeal certain sections of an act to charter the Georgia Mutual Fire & Life Insurance Company, and the several acts amendatory thereof.

A bill to change the line between the counties of Coffee and Ware.

A bill to amend the charter of the town of Acworth.

A bill to authorize the Ordinary of Campbell county to issue bonds.

A bill to authorize the Ordinary of Cobb county to issue bonds.

A bill to change the time for the holding of the Superior Court in the county of Catoosa.

A bill to authorize the Ordinary of Gwinnett county to issue bonds for the purpose of raising money to build a court-house.

A bill to authorize Clerks of Superior Courts in the counties of Lowndes, Coffee, Echols, Clinch and Ware to issue writs that shall bear test in the names of J. R. Alexander and William M. Sessions.

The foregoing bill was ordered to be transmitted to the Senate forthwith.

A bill to provide for the opening and clearing out of Cedar creek, in the county of Wilcox.

A bill to change the time of holding the Superior Court of Camden county

A bill to increase the pay of jurors of Bartow county.

A bill to change the time of holding the Superior Courts in Campbell county

A bill to amend an act incorporating the Atlantic & Great Western Canal Company.

A bill to incorporate the town of Sharpsburg, in the county of Coweta.

A bill to alter and amend section three of an act to alter and amend an act to extend and define the corporate limits of the town of Newnan, in the county of Coweta, and for other purposes. Approved March 6, 1865.

A bill to alter and amend the road laws of this State, so far as relates to the county of Dawson.

A bill to change the time of holding the Superior Courts in the counties of Elbert and Hart.

A bill to empower the Judges of the Superior Courts of this State to appoint auditors in certain cases at law.

A bill to authorize Tax Collector of Banks to receive jury certificates for county tax.

A bill to change the time of holding the Superior Courts of the Macon Circuit.

A bill to amend the acts incorporating the village of Cave Spring, in the county of Floyd.

A bill to repeal all local road laws of the county of Bryan.

Mr. Simmons of Gwinnett offered the following resolution:

*Resolved by the Senate and House of Representatives, That the General Assembly elect a Public Printer for this State, to fill the existing vacancy in said office, at 12 o'clock M. to-morrow.*

The rules were suspended, and the resolution agreed to, and ordered to be transmitted to the Senate forthwith.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit:

A bill to be entitled an act to explain and alter section 244 of the Revised Code of Georgia.

Also, a joint resolution in relation to refunding the

tax on raw cotton collected during the years 1865, 1866 and 1867, under the revenue laws of the United States.

H. L. W. CRAIG, *Chairman*.

A bill to incorporate the Commercial Bank of Albany, was read the third time and put upon its passage. A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Allred.	Fain,	Morrison,
Anderson, Wm. P	Farmer,	Murphy of Harris,
Atkinson,	Field,	Netherland,
Bacon,	Floyd,	Nutting,
Baker of Bryan.	Flynt,	Oliver,
Baker of Pike,	Franklin,	Ormond,
Barksdale,	Glover,	Palmer,
Barron,	Goodman,	Patillo,
Bateman,	Graham,	Paxton,
Battle,	Gray,	Payne,
Beaseley,	Griffin of Houston,	Peebles,
Bell,	Guerrey,	Pentecost,
Berrien,	Hall of Upson,	Pierce,
Blue,	Hammond,	Reid,
Booth,	Hancock,	Renfroe,
Bowie,	Harvey,	Richards,
Braddy,	Head,	Riley,
Bruton of Decatur,	Hillyer,	Russell,
Brown,	Hoge,	Sellers,
Bryan,	Howell,	Simmons of Gwinnett,
Bunn,	Hudson,	Simmons of Houston,
Bush,	Jackson,	Smith of Coweta,
Carlton,	Johnson of Spalding,	Smith of Oglethorpe,
Cato,	Joiner,	Snead,
Clark of Richmond,	Jones of Gwinnett,	Spence,
Clark of Troup,	Jones of Hart,	Stovall,
Clements,	Jones of Terrell,	Summers,
Clower,	Kelly,	Summerlin,
Cody,	Kennedy,	Taylor,
Collins,	Killian,	Trammell,
Cox,	Knowles,	Watters,
Craig,	Lang,	West,
Crittenden,	Lewis,	Whatley,
Cumming,	Mann,	Wofford of Banks,
Davis of Clarke,	Mattox,	Wofford of Bartow,
Davis of Newton,	McConnell,	Woodward,
Dukes,	McMillan,	Wynn.
Emerson,	McNeal,	

Those voting in the negative are Messrs—

Anderson, Wm. D.	Edwards,	Rawls,
Cleghorn,	McWhorter,	Simmons of Hall.

Yeas 110. Nays 6.

So the bill was passed by a constitutional majority

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bill, which I am instructed to transmit forthwith to the House of Representatives, to-wit :

A bill to repeal an act entitled an act to change the time of meeting of the Legislature of this State.

The Senate has also concurred in a resolution of the House of Representatives to elect a State Printer.

A bill to incorporate the Dollar Savings Bank of Fort Valley, was read the third time and put upon its passage.

A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Allred,	Bruton of Decatur,	Cox,
Anderson, Wm. P.	Brown,	Craig,
Atkinson,	Bryan,	Crittenden,
Bacon,	Bunn,	Cumming,
Baker of Bryan,	Bush,	Davis of Clarke,
Baker of Pike,	Butts,	Dukes,
Ballanger,	Carlton,	Edwards,
Barksdale,	Cato,	Emerson,
Barron,	Chancey,	Fain,
Bateman,	Chastain,	Farmer,
Battle,	Clark of Richmond,	Field,
Beasley,	Cleghorn,	Floyd,
Blue,	Clements,	Flynt,
Booth,	Clover,	Franklin,
Bowie,	Cody,	Glover,
Braddy,	Collins,	Goldsmith,
Brewton of Tatnall,	Converse,	Goodman,

Graham,	Mann,	Riley,
Gray,	Mansfield,	Russell,
Griffin of Houston,	Martin,	Sargent,
Guerry,	Mattox,	Sellers,
Hall of Meriwether,	McConnell,	Simmons of Gwinnett,
Hammond,	McMillan,	Simmons of Houston,
Hancock,	McNeal,	Slaton,
Harvey,	McWhorter,	Smith of Coweta,
Head,	Morris,	Smith of Oglethorpe,
Hillyer,	Morrison,	Snead,
Hoge,	Netherland,	Spence,
Howell,	Nutting,	Stovall,
Hudson,	Oliver,	Summers,
Jackson,	Ormond,	Summerlin,
Johnson of Spalding,	Patillo,	Taylor,
Joiner,	Paulk,	Trammell,
Jones of Gwinnett,	Paxton,	Watters,
Jones of Hart,	Peeples,	West,
Jones of Terrell,	Pentecost,	Whatley,
Kelly,	Pierce,	Williams,
Kennedy,	Pou,	Wilson,
Killian,	Rawles,	Wofford of Banks,
Knowles,	Reid,	Wofford of Bartow,
Lang,	Richards,	Wood,
Lewis,	Richardson,	Woodward.

Those voting in the negative are Messrs.—

None.

Yeas, 133. Nays, 0.

So the bill was passed by a constitutional majority.

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr. Speaker:*

His Excellency the Governor has approved and signed the following resolution, to-wit:

A resolution in relation to refunding the tax on raw cotton collected during the years 1865, 1866 and 1867, under the revenue laws of the United States.

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr Speaker :*

His Excellency the Governor has approved and signed the following act, to-wit:

An act to explain and alter section 244 of the Revised Code of Georgia.

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report:

*Mr. Speaker :*

The Committee on Internal Improvements have had under consideration a resolution of the House instructing this committee to report such legislation as may be necessary to protect the interest of the State in extending aid to railroads; and, in obedience to said resolution, recommend the introduction and passage of the bill herewith submitted.

HALL of Upson, *Chairman.*

The rules were suspended, and the following bill, accompanying the above report, was read the first time:

A bill to enforce article three, section six, paragraph five of the Constitution, and to protect the interest of the State in extending aid to railroads.

The following bills were read the third time, and passed, as amended:

A bill to increase the pay of jurors in the county of Stewart.

A bill to amend the several acts incorporating the town of Sandersville, and confer upon said town a municipal government, with all the rights and privileges usually enjoyed by cities in Georgia.

A bill to incorporate the town of Colquitt.

A bill to amend and alter and add to the several acts incorporating the town of Calhoun.

A bill to change the line between the counties of Clay and Calhoun.

The following bills were read the third time and indefinitely postponed :

A bill to change the county of Macon from the Southwestern to the Macon Judicial Circuit.

A bill to increase the pay of jurors in the county of Miller.

A bill to increase the pay of jurors, and for other purposes.

A bill to increase the pay of grand and traverse jurors of the county of Troup.

A bill to regulate the pay of grand and petit jurors of Cobb county

A bill to direct the Tax Collector of Cobb county to pay to the Ordinary of said county the taxes for 1871, for certain purposes.

A bill to authorize the Tax Collector of Dawson county to pay over to the Treasurer of said county the State tax for the year 1871, was withdrawn.

A bill to provide for the payment of a portion of the fund raised for school purposes to the city of Columbus, was recommitted and referred to the Committee on Education.

The following bills were read the third time and recommitted to the Committee on New Counties and County Lines.

A bill to change the line between the counties of Walker and Dade.

A bill to change the line between the counties of Carroll and Douglas.

A bill to appropriate certain moneys for the compensation and reimbursement of Samuel Weil, Esq., Foreign Commissioner of Emigration, was recommitted to the Committee on Finance.

The following bills were read the third time and lost :

A bill to change the county site of Macon county.

A bill to re-establish the vendor's lien.

A bill to protect human life.

A bill to repeal an act prohibiting the leasing or hiring of penitentiary convicts.

A bill to more effectually prevent the carrying of concealed weapons.

A bill to amend section 2261 of Irwin's Revised Code.

A bill to repeal an act to establish a system of public instruction.

A bill to prescribe the manner in which official bonds shall be taken and approved by Clerks, Sheriffs, Ordinaries and other officers.

A bill to authorize the Tax Collector of Cherokee county to pay to the Ordinary of said county the State tax for the year 1871, to aid in building a court-house in said county

A bill to authorize the Tax Collector of Butts county to pay to the Ordinary of said county the taxes, except special taxes, for the year 1871, for the purpose of building a court-house.

A bill to create a Board of Assessors in each county of this State.

A bill to establish a lien in favor of physicians and school teachers on the crops of those for whom they practice medicine or teach school.

A bill to exempt land used for agricultural purposes within the corporate limits of a town, city or village from taxation.

Mr. Gray gave notice that he would move, on tomorrow, to reconsider so much of the action of this House, as relates to the loss of the foregoing bill.

A bill to authorize the Governor to pay to the Treasurer of the Georgia State Agricultural Society, the amount due under the act of December 20, 1860, which was, on yesterday, referred to the Committee on Finance, was recalled from said committee and referred the Committee on Agriculture and Manufactures.

The following bills of the Senate were read the first time:



A bill to repeal an act to change the time of the annual meeting of the Legislature of this State, approved October 25, 1870.

A bill to protect the people of the State of Georgia against the illegal and fraudulent issue of bonds and securities, and for other purposes.

The following gentlemen were announced as the committee on the part of the House, to memorialize Congress in relation to refunding the tax on cotton: Messrs. Johnson of Jefferson, Hoge, and Cumming.

Mr. Scott offered a resolution instructing the Committee on Education to report a bill or resolution in reference to the payment of claims of teachers, which was read and agreed to.

Mr. Craig offered a resolution that the vacant niche on the walls of this Hall be filled with a full length portrait of the Hon. Howell Cobb, and that a committee of three be appointed to make the necessary arrangements therefor, which was read and agreed to.

Leave of absence was granted to Messrs. Guyton, Rutherford, and Cloud.

The House took a recess until 3 o'clock P. M.

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#### AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

The following bills were read the second time and referred to the Committee on the Judiciary:

A bill to create a Board of Commissioners for McIntosh county, and for other purposes.

A bill to alter and amend section 3496 of Irwin's Revised Code.

A bill to change the time of holding the Superior Courts of the county of Gordon, was read the second time and committed.

A bill to change the line between the counties of Douglas and Paulding, and between the counties of Douglas and Cobb, was read the second time and referred to the Committee on New Counties and County Lines:

The following bills were read the second time and referred to the Committee on Internal Improvements:

A bill to incorporate the Atlantic, Fort Valley & Memphis Railroad Company.

A bill to regulate State aid, when applied to narrow-gauge railroads.

The following bills were read the second time and referred to the Committee on Finance:

A bill for the relief of James H. Winn, Tax Collector of Campbell county

A bill for the relief of F. M. Lofton, and for other purposes.

The following bills were read the second time and ordered to be engrossed:

A bill to authorize the Board of Commissioners of Liberty county to levy a tax on pistols, guns and dogs for county purposes.

A bill to authorize William J. Taylor, of the county of Heard, to practice medicine, so far as relates to cancerous diseases, and to charge and collect for the same.

The following bills were read the second time and referred to the Committee on Education:

A bill to amend an act to establish a system of public instruction, approved October 13, 1870, and for other purposes.

A bill to secure to educational purposes the fund now due to the Department of Education, to fund the same, and for other purposes.

A bill to alter and amend an act to incorporate the Georgia Military Institute, and for other purposes.

Mr. Kelly offered a resolution requesting the Governor to pardon John Bannon, which was referred to the Committee on Privileges and Memorials.

The following bills were introduced and read the first time:

By Mr. Scott—

A bill to amend an act to incorporate the town of DeSoto, in the county of Floyd, and all amendatory acts thereto, and to incorporate said town *de novo*.

By Mr. McMillan—

A bill to amend an act to incorporate the town of Clarksville, in the county of Habersham.

Also, a bill to regulate and define the rights of creditors, who, since the first day of June, 1865, have settled with their debtors debts contracted prior to that time, or who have had such claims reduced to judgment or decree in the courts, and for other purposes.

By Mr. Netherland—

A bill to authorize the revision of the jury-box in Rabun county, and for other purposes.

The following House bills were taken up, and the Senate amendments thereto concurred in:

A bill to compensate grand and traverse jurors of the Superior Courts of the county of DeKalb, and to authorize the Tax Collectors to receive jury certificates for county taxes, and pay Constables attending the Superior Court of DeKalb county.

A bill to repeal an act to declare the poll tax of this State for the years 1868, 1869 and 1870, yet uncollected, void, and to prevent the collection of the same.

A bill to authorize the Mayor and Council of Rome to subscribe not exceeding one hundred thousand dollars in the Memphis Branch Railroad Company.

The following Senate bills were read the first time:

A bill to merge the jurisdiction of courts of law and equity in this State.

A bill to make certified extracts from the books and records of railroad companies and chartered banks, evidence in certain cases.

A bill to compensate Ordinaries, Sheriffs and Clerks of Superior Courts for certain services.

A bill to amend an act to authorize the Ordinary of Lumpkin county to issue bonds to build a jail in said county

A bill to assist the Georgia Infirmary

A bill to incorporate the LaGrange & Barnesville Railroad Company

A bill to amend section seven of an act to incorporate the Albany & Columbus Railroad Company

A bill to provide for taking bonds of public officers.

A bill to require Clerks of the Superior Courts to provide blanks with printed instructions for taking interrogatories.

A bill to make it a penal offence for any person retailing spirituous liquors in this State, to sell such liquors to a minor without the written consent of the parent or guardian of said minor.

A bill to regulate the practice of the courts on trials before juries in certain particulars.

A bill to enforce article five, section twelve, paragraph two of the Constitution.

A bill to alter and amend the fee bills prescribed under section 3646 of the Code.

A bill to amend the third section of an act providing for setting apart a homestead.

A bill to relieve joint debtors by judgment.

A bill to require the Judges of the Superior Courts of this State to give in special charge to grand juries section 1436 of the Code.

A bill to require the several Judges in this State to

give specially in charge to grand juries sections 4489, 4490 and 4491 of the Code.

A bill to amend section 4251 of the Code.

A bill to repeal section 121 of the Code.

A bill to amend an act to grant to the Savannah, Skidaway & Seaboard Railroad Company the right to construct a railway through Abercorn street.

A bill to make slander a criminal offense.

A bill to incorporate the Oglethorpe Fertilizing Company

A bill to provide a remedy by which money or property stolen or fraudulently or unlawfully converted or detained from the State, or the Western & Atlantic Railroad, may be recovered.

A bill to amend an act incorporating the Evergreen Cemetery Company of Bonaventure.

A bill to authorize the appointment of an auditor in cases of law and equity involving account.

A bill to more effectually punish certain unlawful acts of violence.

A bill to legalize the subscription of the town of Madison to the Griffin, Monticello & Madison Railroad Company

A bill to amend an act to incorporate the Wilmington Railroad Company

A bill to legalize the subscription of Indian Springs to the Griffin, Monticello & Madison Railroad Company

A bill to prescribe the manner of incorporating documentary evidence in bills of exceptions.

A bill to impose certain duties and confer certain powers upon the Ordinary of Union county

A bill to incorporate the town of Luthersville, in Meriwether county.

A bill to provide for the time of holding the Superior Courts of the Eastern Judicial Circuit.

A bill to abolish the offices of the Western & Atlantic Railroad.

A bill to fix the compensation of grand, petit and talis jurors in the county of Decatur.

A bill to provide the mode of adjudicating the rights of parties under article seven of the Constitution.

A bill to execute the fifteenth section of article one of the Constitution.

A bill to authorize the Ordinary of Cherokee county to issue bonds for building a court-house.

A bill to alter, change and amend an act to incorporate the the town of Dalton.

A bill to change the time of holding the Superior Courts of the Flint Judicial Circuit.

A bill to incorporate the Mechanics' & Traders' Bank of Georgia.

The following Senate bills were read the second time and referred to the Committee on the Judiciary:

A bill to prescribe for suits against joint obligors in the City Court of Savannah.

A bill to amend an act to amend paragraph 2741 of the Code of Georgia.

A bill to create a Board of Commissioners of Roads and Revenue in the county of Dawson.

A bill to repeal an act to amend an act, assented to August 27, 1870.

A bill to change the time of holding the Superior Courts of Talbot county.

A bill to provide for the mode of filling vacancies in the office of Ordinary which may now or hereafter exist in the several counties of this State.

A bill to confer additional powers upon the corporate authorities of the town of Barnesville, in the county of Pike.

A bill to alter and amend section 649 of Irwin's Revised Code.

A bill to amend an act to prescribe the practice in cases of injunction and other extraordinary remedies in equity, and the manner of taking judgments thereon to the Supreme Court.

A bill to allow plaintiffs in execution to recover damages in certain cases.

A bill to amend and add to the law of arson in the State of Georgia.

A bill to repeal an act to organize the District Court, and to define its jurisdiction, and for other purposes, approved October 28, 1870.

A bill to amend section 4428 of the Code of Georgia.

A bill to alter and amend section 4779 of the Revised Code.

A bill to require the Ordinaries of the several counties in this State, in issuing orders on the several County Treasurers, to specify in said order the particular fund out of which said order ought rightfully to be paid.

A bill to repeal and alter the punishment prescribed in the following sections of the Code of Georgia, 4276, 4278, 4279, 4290, 4303, 4307, 4335, 4345, 4348, 4349, 4350, 4351, 4353, 4368, 4372, 4373, 4403, 4408, 4411, and 4412.

A bill to repeal an act to provide for an election, and to alter and amend the laws in relation to the holding of elections.

The following Senate bills were read the second time and committed:

A bill to amend an act to create a Board of Commissioners for the county of Glynn, so as to make it apply to the county of Baker.

A bill to incorporate the town of Eastman, and to repeal all previous acts incorporating the same.

The following Senate bills were read the second time, and referred to the Committee on Internal Improvements:

A bill to incorporate the Savannah & Thunderbolt Railroad Company.

A bill to repeal an act to make permanent the site of

public buildings for the county of Heard, and to incorporate the town of Franklin.

The following Senate bills were read the second time, and referred to the Committee on Corporations :

A bill to amend an act to incorporate the town of Hawkinsville, in the county of Pulaski.

A bill to incorporate the Chattahoochee Manufacturing Company.

A bill to amend an act to open and construct a railroad from Athens, Georgia, via Clarksville, in Habersham county, to some point on the Blue Ridge Railroad, near Clayton, by the most practicable route.

The following Senate bills were read the second time and referred to the Committee on Finance :

A bill to provide for the payment of the debt of Clarke county.

A bill to regulate the practice of dentistry in this State.

A bill to amend the attachment laws of this State.

The House, on motion, adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Wednesday, November 29, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Jones.

The Journal of yesterday was read and approved.

Mr. Pou moved to reconsider so much of the Journal as relates to the passage of a bill to incorporate the town of Colquitt, which motion prevailed.

Mr. Gray moved to reconsider so much of the Jour-



nal as relates to the loss of a bill to exempt land used for agricultural purposes within the corporate limits of a town, city or village from taxation, which motion prevailed.

Mr. Simmons of Gwinnett offered a resolution in relation to the seat of Mr. George F Page on this floor, as a member from Lee county, which was referred to the Committee on Privileges and Elections.

Mr. Phillips, chairman of the Committee on Privileges and Elections, submitted a report in reference to the seat of Mr. H. J. Sargent on this floor, as a member from Coweta county.

The report was not read, and 200 copies thereof were ordered to be printed for the use of this House.

On motion of Mr. McMillan, the rules were suspended, and the Senate bill to repeal an act to change the time of the annual meeting of the Legislature of this State, approved October 25, 1870, was read the second time and committed.

The following gentlemen were announced as a committee on the part of the House, under a joint resolution to report upon a bill to apportion representation:

Messrs. Hunter, Bacon and Netherland.

The following gentlemen were announced as the committee to provide for the painting of a portrait of the Hon. Howell Cobb, under the resolution adopted on yesterday:

Messrs. Craig, Pou and Payne.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has concurred in the following resolution of the House of Representatives, which I am instructed to transmit forthwith to the House of Representatives.

A resolution in relation to the observance of Thanksgiving day, and appointing a committee to arrange for divine service in the Hall of the House of Representatives, and has appointed as such committee, on the part of the Senate, Mr. Hillyer.

Mr. Crittenden offered a resolution that the joint resolution setting apart Thursday, 30th instant, as a day of Thanksgiving, be so modified as to authorize an afternoon session of this House at 4 o'clock P. M. on that day.

Mr. Cleghorn moved to amend by striking out "four" and inserting "three."

The amendment was accepted.

Mr. Simmons of Gwinnett offered as a substitute a resolution that this House hold an afternoon session to-morrow at 3 o'clock P. M.

The substitute was lost, and the resolution of Mr. Crittenden, as amended, was agreed to.

Mr. Craig offered a resolution that this House will be ready at 12 o'clock M. to receive the Senate in this Hall, for the purpose of electing a State Printer.

The resolution was agreed to.

Mr. Goldsmith, chairman of the Committee on the Penitentiary, offered a resolution for the appointment of a committee to adjust the claims due creditors of the Penitentiary, which was agreed to.

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report:

*Mr Speaker:*

The Committee on Internal Improvements has had under consideration the following bills, and make the following recommendations, to-wit:

A bill to be entitled an act to amend an act incorporating the Newnan & Americus Railroad Company, and recommend the same do pass.

Also, a bill to incorporate the Atlantic, Fort Valley

& Memphis Railroad, and recommend the same do pass.

Also, a bill to amend an act incorporating the Lookout Mountain Railroad, and recommend the same do pass.

Also, a bill to incorporate the Macon & Chattahoochee Railroad Company, and recommend the same do pass.

Also, a bill to amend an act to incorporate the Atlanta & Lookout Railroad Company, and recommend the same do pass.

Also, a bill to incorporate the Atlanta & Monticello Narrow-Gauge Railroad, and recommend the same be amended as follows: In section five, strike out the following words, to-wit: "and that in no case shall the owner of said lands obstruct the building of said railway by injunction, but shall take his, her or their course at the common law" Also, in section nine, strike out the following: "and said lands so received in payment, or part payment of subscription to said capital stock, shall be free from taxation so long as the legal title remains in said company;" and, with these amendments, recommend the same do pass.

Also, a bill to incorporate the Macon & Knoxville Railroad, and recommend the following amendment in the third line of section three: Strike out the words, "may be deemed expedient," and insert in lieu thereof the words, "as is allowed the Georgia Railroad Company by their charter;" and, with this amendment, recommend the same do pass.

HALL of Upton. *Chairman.*

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following:

*Mr. Speaker:*

The Committee on the Judiciary have had under consideration a number of the bills that have been referred thereto, and I am instructed to report as follows:

The committee recommend that a bill to be entitled an act to alter the law in relation to interest on money, be indefinitely postponed.

A bill to be entitled an act to alter and amend section 2023 of Irwin's Revised Code, the committee recommend be also indefinitely postponed.

A bill to be entitled an act to amend section 3687 of the Revised Code of Georgia, in reference to the withdrawal of claims, the committee recommend do pass.

A bill to be entitled an act to establish a City Court in the city of Atlanta, the committee recommend do pass.

A bill to be entitled an act to protect public roads in Thomas county, the committee recommend do not pass.

A bill to be entitled an act to regulate the fees of Solicitors General, in the Supreme Court, is returned to the House, with the recommendation that it be referred to the Committee on Finance.

A bill to be entitled an act to legalize the adjournment of the Superior Court of Elbert county, the committee recommend do pass.

A bill to be entitled an act to amend the laws in reference to wills made in another State, Territory or foreign country, the committee recommend do not pass.

A bill to be entitled an act to amend the laws respecting nuncupative wills, the committee recommend do pass.

A bill to be entitled an act to change the laws of distribution so far as it affects the separate property of married women, the committee recommend do pass.

A bill to be entitled an act to amend an act entitled an act to alter and amend the several acts incorporating the city of Macon, approved December 27, 1847, and the several acts amendatory thereto; to grant additional powers to the Mayor and Council of the city of Macon, and for other purposes, the committee recommend do pass.

A bill to be entitled an act to change the time of

holding the Superior Court of Richmond county, which the committee recommend do pass.

For a bill to be entitled an act to legalize the revision of jury boxes, and to authorize and legalize separate juries for each week of court, and to increase the pay of jurors in certain cases, the committee propose a substitute, and recommend that it do pass.

I am instructed to report back to the House without recommendation, a bill to be entitled an act to make penal a breach of contract for labor or service by the parties thereto, and for other purposes; the committee being equally divided in opinion as to the desirableness of the passage of the bill.

E. F. HOGE, *Chairman*.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

His Excellency the Governor has approved and signed the following resolution, to-wit:

A resolution instructing the joint Committee on Finance of both Houses to proceed forthwith to investigate all matters touching the transactions in bonds, moneys and other securities of the State of Georgia, between Rufus B. Bullock, Henry Clews & Co., the National Bank of Atlanta, and other parties, with power to send for persons and papers.

Also, a resolution in relation to the observance of Thanksgiving day

The Clerk proceeded to call the roll of the counties for the introduction of new matter, and the following bills were introduced and read the first time:

By Mr. Goodman—

A bill to authorize Douglas county to take stock in the Georgia Western Railroad.

By Mr. Heidt—

A bill to provide for and enforce a registration of voters in the county of Chatham.

By Mr. Woodward—

A bill to exempt maimed persons from the payment of poll tax.

Also, a bill to alter and amend an act to incorporate the town of Montezuma, in the county of Macon.

Also, a bill to incorporate the town of Vienna, in Dooly county

Also, a bill to authorize the Ordinary and Road Commissioners of the county Dooly, to classify the public roads in said county, and define the width, and prescribe the amount of work to be done thereon.

By Mr. Edwards—

A bill to construct a railroad from Elberton, Georgia, to intersect with the New York & New Orleans Air-Line Railroad, by the most practicable route, and for other purposes.

By Mr. Nutting—

A bill to incorporate the Nutting Cotton Manufacturing Company.

Also, a bill to incorporate the Central Insurance Company of Georgia.

By Mr. Franklin—

A bill to increase the pay of grand and petite jurors in the county of Fannin.

Also, a bill to entitle F W Dawes to practice medicine in the county of Fannin.

By Mr. Hoge—

A bill to repeal the eighth section of an act to levy and collect a tax for the support of the government for the year 1869.

Also, a bill to incorporate the Northern Bank of the State of Georgia.

By Mr. Jackson—

A bill for the relief of J. I. Miller.

Also, a bill to require Justices of the Peace and Notaries Public ex-officio Justices of the Peace, to keep

dockets and to exhibit them to the grand juries of their respective counties.

By Mr. McWhorter—

A bill to give the several Ordinaries of this State power to appoint commissioners of public roads.

By Mr. Simmons of Gwinnett—

A bill for the relief of John M. Peden, former Tax Collector of Gwinnett county

By Mr. Pierce—

A bill to amend the several acts incorporating the town of Sparta.

By Mr. Watters—

A bill to relieve the securities of N O. Alexander, Tax Collector of Jasper county for the year 1868.

By Mr. Griffin of Houston —

A bill to exempt Justices of the Peace and Judicial Notaries Public from jury duty.

By Mr. Beaseley—

A bill to compensate the grand and petit jurors of the county of Jefferson, by paying them mileage.

By Mr. Pou—

A bill to change the time of holding the Superior Court of Muscogee county

Also, a bill to authorize Nicholas J. Fogarty, of the county of Muscogee, to practice medicine, and to charge for the same.

By Mr. Bunn—

A bill to make it the duty of the several Tax Receivers of this State to collect agricultural statistics, in addition to their other duties.

By Mr. Crittenden—

A bill to relieve maimed and indigent persons from paying a poll tax or doing public duty.

By Mr. McNeal—

A bill to protect the people of this State in the rearing of oysters and fish in the tide waters thereof, and for other purposes.

Also, a bill to amend an act to create a Board of

Commissioners of Roads and Revenue in the county of Glynn.

Also, a bill to protect the people of this State against discrimination in the transportation of freight and passengers, by requiring all persons owning, controlling or operating any railroad to establish and collect uniform rates for the transportation of freight and passengers.

By Mr. Snead—

A bill to prescribe the mode of payment of costs in criminal cases to Magistrates and Constables of Richmond county.

By Mr. Cumming—

A bill to incorporate the Oglethorpe Manufacturing Company of Augusta.

By Mr. Hudson—

A bill to amend the charter of the Americus & Isabella Railroad Company

By Mr. Hall of Upson—

A bill to prescribe the manner of enforcing attorney's liens, and for other purposes.

By Mr. Barksdale—

A bill to change the line between the counties of Warren and McDuffie.

This bill was accompanied by a memorial from certain citizens of McDuffie county

By Mr. Slaton—

A bill to change the line between the counties of Wilkes and Taliaferro.

By Mr. Cumming—

A bill to amend an act to facilitate the sale of real estate in Georgia, and to encourage immigration thereto.

By Mr. Pou—

A bill to amend the laws of this State in relation to fences and enclosures, and for other purposes.

By Mr. Sargent—

A bill to incorporate the Peoples' Savings Bank of Newnan.

On motion, the rules were suspended, and a bill to



enforce article three, section six, paragraph five of the Constitution, and to protect the interest of the State in extending aid to railroads, was read the second time and referred to the Committee on the Judiciary

A Senate bill to protect the people of the State of Georgia against the illegal and fraudulent issue of bonds and securities, and for other purposes, was read the second time and committed.

The following message was received from the Executive Department, through Mr. Corson, Secretary thereof, to-wit:

*Mr. Speaker:*

I am directed by his Excellency the Governor, to deliver to the House of Representatives a communication in writing, with accompanying documents.

The message was not taken up.

Mr. Davis of Newton, chairman of the Committee on Agriculture and Manufactures, made the following report, to-wit:

*Mr. Speaker:*

The Committee on Agriculture and Manufactures, to whom was referred the following bills, have had the same under consideration, and make the following report, to-wit:

A bill entitled an act to alter and amend section 1977 of Irwin's Revised Code of Georgia, and recommend that it do not pass.

Also, a bill entitled an act to regulate lost time of laborers, and recommend that it do not pass.

Also, a bill to be entitled an act to amend an act entitled an act to amend an act passed March 13, 1869, entitled an act to amend an act entitled an act to protect the planters of this State from imposition in the sale of fertilizers, and recommend that it do pass.

Also, a bill to be entitled an act to compel non-residents of the county of Worth, who own, herd, pen or graze sheep in said county, to pay the *ad valorem* tax on same to the Tax Collector of Worth county, and recommend that the same do pass.

Also, an act to be entitled an act to make it criminal for any person to hunt on the lands of another, without the consent of the owner, and recommend that the same do pass.

Also, an act entitled an act to prohibit parties from driving or carrying away stock from their range, and for other purposes, and recommend that the same do pass.

Also, a bill to be entitled an act relating to fences and for the protection of crops, and recommend that the same do not pass.

J. B. DAVIS, *Chairman.*

Mr. Goldsmith, chairman of the Committee on the Penitentiary, submitted the following report:

*Mr Speaker:*

The Committee on the Penitentiary have had under consideration a bill to be entitled an act to regulate the system of farming out the Penitentiary convicts, and for other purposes, which they report back to the House with a recommendation that the same do not pass.

Said committee also instruct me to report the resolution herewith transmitted, which they recommend do pass, to-wit:

A resolution to appoint a committee of two to examine and adjust the claims due creditors of the Penitentiary, and report at the January adjourned session of this General Assembly, with a view to the payment of the same.

W. L. GOLDSMITH,  
*Chairman Penitentiary Committee.*

Mr. Cumming, chairman of the Committee on Banks, submitted the following report:

*Mr Speaker:*

The Committee on Banks have had under consideration a bill to be entitled an act to incorporate the Mechanics' Loan & Trust Company of Cuthbert, Georgia, and recommend that the third section thereof be amended by striking out the words, "and liens on crops to be raised;" also, by striking out the following language, to-wit: "and to advance and loan moneys at such rates of interest as may be agreed upon by the parties contracting: *Provided*, That said company shall have no power to collect more than 20 per cent. per annum on any contract made with them: *And provided further*, That where no rate of interest is named the legal rate of interest in force in this State at the date of such contract shall be chargeable and collectable."

The committee also recommend that the ninth section of this bill be amended by striking out the words following, to-wit: "without reference to whether said advance is due or not." With these amendments, the committee recommend that this bill do pass.

The committee have also had under consideration a bill to be entitled an act to incorporate the Merchants' & Mechanics' Savings Bank of Columbus, Georgia, and recommend that the eighth section of said bill be amended so as to read as follows, to-wit: "That the said company shall be responsible to its creditors to the extent of its property, and the stockholders shall be ultimately liable for all the debts and liabilities of the company made or incurred during the time they are stockholders, in proportion to the number of shares held by them respectively," and that when so amended the bill do pass.

The committee have also had under consideration a bill to be entitled an act to incorporate the Exchange Bank of Macon, and recommend that said bill do pass.

The committee have also had under consideration a bill to be entitled an act to incorporate the Georgia Industrial Agency, and to aid railroad companies, far-

mers, manufactories, and others, to obtain loans and advances of money and of credits upon more favorable terms than such loans and credits are usually given by banks, and recommend that said bill do not pass.

JAMES B. CUMMING,  
*Chairman of Committee on Banks.*

The following resolutions were offered :

By Mr. Pierce—

A resolution instructing the Committee on the Judiciary to report whether any legislation is necessary in reference to filling the vacancy in the office of Chief Justice.

By Mr. Sargent—

A resolution for the relief of the Hon. Dennis F Hammond.

By Mr. Phillips—

A resolution for the appointment of a joint committee upon the subject of wild lands.

By Mr. Riley—

A resolution in relation to the offering of rewards for the arrest of criminals.

The following message was received from the Senate, through Mr. Hill, the Secretary, thereof :

*Mr Speaker :*

The Senate has concurred in a resolution of the House of Representatives in relation to the resolution adopted November 28, 1871, relative to the observance of Thanksgiving day.

The President of the Senate has appointed the following committees under a joint resolution appointing various committees to inquire into the different departments of the State government, to-wit :

To investigate the official conduct of Rufus B. Bullock, late Governor of this State, Messrs. Nicholls and Wellborn.

To investigate the administration and management of the Western & Atlantic Railroad, Messrs. Lester and Clark.

To investigate the fairness or unfairness of the lease of the Western & Atlantic Railroad, Messrs. Reese and Nunnally.

To investigate the conduct of the commissioners appointed under the act approved October, 1870, to audit claims against the Western & Atlantic Railroad, Messrs. Hoyle and Brown.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following joint resolution, to-wit:

A resolution appointing certain committees to inquire into the various departments of the State Government, and report to the next session of this General Assembly.

H. L. W. CRAIG, *Chairman*.

The hour of 12 o'clock M. having arrived, the Senate attended in the Hall of the House of Representatives, and the General Assembly, after being called to order by the President of the Senate, proceeded to the election of a State Printer.

The Secretary of the Senate and the Clerk of the House of Representatives proceeded to call the rolls of their respective houses—the Senators and Representatives voting *vice voce*—when, upon receiving and adding up the votes, it appeared that W. A. Hemphill, of the county of Fulton, had received 154; S. W. Grubb, of the county of Fulton, 7; J. Born, 1; and Rough Rice, 1.

So William A. Hemphill was declared elected State Printer.

On motion, the Senate repaired to their chamber.

The following bills were read the third time and passed:

A bill to establish a permanent board of education and orphanage for the county of Bibb, and to incorporate the same.

A bill to compensate the Clerk and Sheriff of the Superior Court and other officers for services rendered in the District Court of Richmond county, and for other purposes.

A bill to change the time of holding the Superior Court of Richmond county

A bill to fix the compensation of grand and petit jurors in the counties of Rabun and Towns.

A bill to authorize the reception of depositions during the vacation of the courts from post-masters and others, was read the third time and lost.

A resolution for the appointment of a joint committee of one from the Senate and two from the House, to visit Washington City, and co-operate with our members in urging upon Congress the importance of opening water communication between the Atlantic and Mississippi, was taken up.

Mr. Lang moved to lay the same upon the table, and the motion prevailed.

Leave of absence was granted Messrs. Booth, Hendley, Barron, and Morris.

The House took a recess until 3 o'clock P. M.

## AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

The following bills were read the second time, and referred to the Committee on Corporations:

A bill to amend an act to incorporate the town of Clarksville, in the county of Habersham.

A bill to amend an act to incorporate the town of DeSoto, in the county of Floyd, and all amendatory acts thereto, and to said town *de novo*.

A bill to secure to educational purposes, the fund now due to the department of education, to fund the same, and for other purposes, was read the second time and referred to the Committee on Education.

A bill to authorize the revision of the jury-box of Rabun county, and for other purposes, was read the second time and ordered to be engrossed.

A bill to define the rights of creditors who since the 1st day of June, 1865, have settled with their debtors, debts contracted prior to that time, or who have had such claims reduced to judgment or decree in the courts, and for other purposes, was read the second time and referred to the Committee on the Judiciary.

A resolution in relation to the committee having in charge the books and papers of the Western & Atlantic Railroad, was taken up and referred to the Committee on Finance.

The following Senate bills were read the second time and committed:

A bill to fix the compensation of grand, petit and tales jurors in the county of Decatur.

A bill to require Judges of the Superior Courts to provide blanks with instructions for taking interrogatories.

A bill to alter and amend the fee bill prescribed under section 3646 of Irwin's Revised Code.

A bill to legalize the subscription of the town of Madison to the Griffin, Monticello & Madison Railroad Company.

A bill to more effectually punish certain unlawful acts of violence.

A bill to abolish the offices of the Western & Atlantic Railroad.

A bill to authorize the appointment of an auditor in cases of law and equity involving account.

A bill to amend an act to incorporate the Wilmington Railroad Company

A bill to amend the third section of an act providing for the setting apart of a homestead.

A bill to amend an act incorporating the Evergreen Cemetery Company of Bonaventure.

A bill to provide a remedy by which money or property stolen or fraudulently or unlawfully converted or detained from the State, or the Western & Atlantic Railroad, may be recovered.

A bill to amend an act to authorize the Ordinary of Lumpkin county to issue bonds to build a jail in said county.

The following Senate bills were read the second time and ordered to be engrossed :

A bill to authorize the Ordinary of Cherokee county to issue bonds of said county for the purpose of building a court-house.

A bill to make it a penal offense for any person retailing spirituous liquors in this State to furnish any such liquors to any minor, without the written consent of the parent or guardian of such minor.

A bill to alter and amend an act to incorporate the town of Decatur.

The following Senate bills were read the second time and referred to the Committee on the Judiciary :

A bill to repeal so much of an act, assented to Octo-



ber 17, 1870, as creates the Allapaha Judicial Circuit, and to add the county of Lowndes to the Southern Judicial Circuit, and the counties of Echols, Clinch, Coffee and Ware to the Brunswick Judicial Circuit.

A bill to provide the mode of adjudicating the rights of parties under article seven of the Constitution of this State.

A bill to regulate the practice of the courts on trials before juries in certain cases.

A bill to require the several Judges of the Superior Courts of this State to give in special charge to grand juries sections 4489, 4490 and 4491 of the Code.

A bill to enforce article five, section twelve, paragraph two of the Constitution.

A bill to change the time of holding the Superior Courts of the Flint Judicial Circuit.

A bill to repeal section 121 of the Code.

A bill to amend section 4251 of Irwin's Revised Code.

A bill to execute the fifteenth section of article one of the Constitution.

A bill to legalize the subscription of Indian Springs to the Griffin, Monticello & Madison Railroad Company

A bill to merge the jurisdiction of courts of law and equity in this State.

A bill to make slander a criminal offense.

A bill to relieve joint debtors by judgment.

A bill to prescribe the manner of incorporating documentary evidence in bills of exceptions.

A bill to impose certain duties and confer certain powers upon the Ordinary of Union county

A bill to provide for the time of holding the Superior Courts of the Eastern Circuit.

A bill to provide for taking bonds of public officers and qualifying them.

A bill to make certified extracts from the books and records of railroad companies and chartered banks, evidence in certain cases.

A Senate bill to incorporate the town of Luthersville,

was read the second time and referred to the Committee on Corporations.

The following Senate bills were read the second time and referred to the Committee on Internal Improvements :

A bill to amend an act to grant to the Savannah, Skidaway & Seaboard Railroad Company the right to construct a railway through Abercorn street.

A bill to amend the seventh section of an act to incorporate the Albany & Columbus Railroad Company

The following Senate bills were read the second time and referred to the Committee on Finance :

A bill to compensate Ordinaries, Sheriffs and Clerks of Superior Courts for certain services.

A bill to assist the Georgia Infirmary

A Senate bill to incorporate the Mechanics' & Traders' Bank of Georgia was read the second time, and referred to the Committee on Banks.

The following Senate bills were read the second time and referred to the Committee on Agriculture and Manufactures :

A bill to incorporate the Oglethorpe Fertilizing Company

A bill to incorporate the LaGrange & Barnesville Railroad Company.

On motion, the House adjourned until 3 o'clock p. m. to-morrow.

ATLANTA, GEORGIA,

Thursday, November 30, 1871.

3 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

The Journal of yesterday was read and approved.

Mr. Rawles moved to reconsider so much of the Journal as relates to the adoption of a resolution for the appointment of a committee to adjust the claims due creditors of the Penitentiary

The motion prevailed.

Mr. Woodward introduced a bill to incorporate the Steam Road Wagon Company of Georgia, which was read the first time

The following Senate bills were read the third time and passed:

A bill to repeal an act to change the time of the annual meeting of the Legislaturæ of this State, approved October 25, 1870.

A bill to amend an act to create a Board of Commissioners for the county of Glynn, so as to make it apply to the county of Baker.

A bill to make permanent the site of the public buildings for the county of Heard, and to incorporate the town of Franklin.

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report:

*Mr. Speaker:*

The Committee on Internal Improvements have had under consideration the following bills, and make the following recommendations, to-wit:

A bill to repeal an act to make permanent the site of the public buildings of Heard county, and for other purposes, and recommend the same do pass.

Also, a bill to regulate State aid, when applied to narrow-gauge railroads, and recommend the same do not pass.

Also, a bill to incorporate the Savannah & Thunderbolt Railroad Company, and recommend the following amendments, to-wit: Strike out the word "exclusive," in the twelfth section, and wherever the same occurs in said bill; and, with this amendment, recommend the same do pass.

HALL of Upson, *Chairman*.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred a bill to be entitled an act to create a Board of Commissioners for McIntosh county, and for other purposes, has had the same under consideration, and for it a substitute is proposed by the committee, and its passage recommended.

E. F. HOGE, *Chairman*.

Mr. William D. Anderson, chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

The Committee on Corporations have considered the following bills, to-wit:

A bill to be entitled an act to amend an act to incorporate the town of New Gibraltar, in DeKalb county, to change the name of the same to Stone Mountain, etc., which they recommend do pass.

A bill to be entitled an act to incorporate the Atlanta & Tennessee Railroad, report it back without recommendation.

A bill to be entitled an act to amend the charter of the town of Fort Gaines, which they recommend do pass as amended.

A bill to be entitled an act to incorporate the Dalton & Southwestern Railroad Company, which they recommend do pass.

A bill to incorporate the town of Butler, in the county of Taylor, which they recommend do pass.

A bill to incorporate the town of Jeffersonville, in the county of Twiggs, which they recommend do pass.

A bill to incorporate the Stone Mountain, Lawrenceville & Athens Railroad Company, etc., which they recommend do not pass.

An act entitled an act to amend an act to incorporate the town of Kingston, in Bartow county, which they recommend do pass.

A bill entitled an act to alter and change the road laws so far as applies to the county of Worth, which they recommend do not pass.

An act to amend an act to extend the corporate limits of the town of Hartwell, which they recommend do pass.

A bill to be entitled an act to amend an act to incorporate the town of Thomson, in the county of Columbia, now McDuffie, approved December 16, 1859, which they recommend do pass.

A bill to incorporate the College of Pharmacy and Health in the city of Macon, which they recommend do not pass.

An act entitled an act to incorporate the town of Clinton, in the county of Jones, etc., which they recommend do pass as amended.

A bill to be entitled an act to incorporate the town of Jefferson, and confer certain powers on the commissioners thereof, which they recommend do pass as amended.

An act to amend an act entitled an act to incorporate the town of Norcross, in the county of Gwinnett, which they recommend do pass as amended.

A bill to incorporate the Georgia Diamond Mining Company, which they recommend do pass as amended.

An act to incorporate the Mutual Protection Insurance Company, which they recommend do pass.

A bill to be entitled an act to incorporate the town of Resaca, and for other purposes, which they recommend do pass as amended.

An act to amend an act entitled an act to incorporate an insurance company in the city of Columbus, to be called the Home Fire & Marine Insurance Company of Columbus, Georgia, which they recommend do pass as amended.

A bill to be entitled an act to incorporate a Board of Commissioners for the county of Meriwether, etc., which they recommend do pass.

An act to alter and amend an act entitled an act to amend and alter the charter of the city of Columbus, approved eighth March, 1866, which they recommend do pass.

An act entitled an act to amend the act to incorporate the town of Morgan, in the county of Calhoun, approved March 8, 1856, which they recommend do pass.

An act to incorporate the town of Leeton, to appoint a town council for the same, etc., which they recommend do pass.

A bill to change the county site of Clarke county from Watkinsville to the town of Athens, and for other purposes, which they recommend do not pass.

A bill to be entitled an act to amend an act entitled an act to incorporate the Grand Lodge, Knights of Jericho, of the State of Georgia, and for other purposes therein named, which they recommend do pass.

A bill to be entitled an act to incorporate the Grand Bay Paper Manufacturing Company, which they recommend do pass as amended.

A bill to incorporate the city of Dawson, in Terrell county, and for other purposes, which they recommend do pass as amended.

WILLIAM D. ANDERSON, *Chairman*.

Leave of absence was granted Messrs. Booth, Johnson of Jefferson, Cato, and Clark of Troup.

A Senate bill to repeal the usury laws of this State, and fix the rate of interest in cases where contracting parties do not fix the same in writing, was read the third time.

Mr. W. D. Anderson moved to postpone the bill indefinitely.

Pending action, the House, on motion, adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Friday, December 1, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Chaplain.

The Journal of yesterday was read and approved.

On motion of Mr. Pierce, the rules were suspended, and the following bills were read the second time and referred to the Committee on the Judiciary:

A bill to amend an act to create a Board of Commissioners of Roads and Revenue, in the county of Glynn.

A bill to prescribe the mode of payment of costs in criminal costs to Magistrates and Constables of Richmond county

A bill to authorize the Ordinary and Road Commissioners of the county of Dooly, to classify the public roads in said county, and prescribe the amount of work to be done thereon.

A bill to give the several Ordinaries of this State, power to appoint commissioners of public roads.

A bill to require Justices of the Peace and Notaries Public ex-officio Justices of the Peace, to keep dockets

and to exhibit them to the grand juries of their respective counties.

A bill to increase the pay of grand and traverse jurors in the county of Fannin.

A bill to incorporate the town of Vienna, in Dooly county.

A bill to exempt Justices of the Peace and Judicial Notaries Public from jury duty

A bill to change the time of holding the Superior Courts of Muscogee county

A bill to authorize Nicholas J. Fogarty, of Muscogee county, to practice medicine and to charge for the same.

A bill to relieve maimed and indigent persons from a poll tax or doing public duty.

A bill to amend an act to facilitate the sale of real estate in Georgia, and to encourage immigration thereto.

A bill to prescribe the manner of enforcing attorneys' liens, and for other purposes.

A bill to amend the laws of this State in relation to fences and enclosures, and for other purposes.

A bill to protect the people of this State in the rearing of oysters and fish in the tide-waters thereof, and for other purposes.

A bill to compensate grand and petit jurors of the county of Jefferson, by paying them mileage.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bills, to-wit:

A bill to be entitled an act to repeal an act entitled an act to declare the poll tax of this State for the years 1868, 1869 and 1870, yet uncollected, illegal, and to prevent the collection of the same.



Also, a bill to be entitled an act to amend an act entitled an act to authorize the Mayor and Council of Rome to subscribe not exceeding one hundred thousand dollars of stock in the Memphis Branch Railroad, and for other purposes.

Also, a bill to be entitled an act to compensate grand and traverse jurors of the county of Polk.

Also, a bill to be entitled an act to repeal an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes. Approved October 30, 1870.

Also, a bill to be entitled an act to authorize the County Commissioners of Pike county to audit claims of officers for extra services, and for other purposes.

Also, a bill to be entitled an act to change the charter of the University of Georgia, so as to add four additional trustees to the Board, and give the election of said trustees to the Alumni Society.

Also, a bill to be entitled an act to change the line between the counties of McIntosh and Liberty.

Also, a bill to be entitled an act to repeal an act entitled an act to provide for an election, and to alter and amend the laws in relation to the holding of elections, approved October 3, 1870.

H. L. W. CRAIG, *Chairman*.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker:*

The Committee on Judiciary have had under consideration a number of the bills referred thereto, and I am instructed to report as follows:

A bill to be entitled an act to require defendants to pay costs in certain cases before filing affidavits of illegality, the committee recommend do not pass.

A bill to be entitled an act to amend the laws in relation to the punishment of capital offenses, the committee recommend do not pass.

A bill to be entitled an act to authorize Jonathan Ross, of Schley county, guardian of Sterling G. Carter, a minor, to settle with his ward, and to make legal and binding said settlement, as if his said ward was of the age of twenty-one years, the committee recommend do not pass.

A bill to be entitled an act to repeal an act entitled an act to create a Board of Commissioners of Roads and Revenue, in the county of Richmond, the committee recommend do pass.

A bill to be entitled an act to authorize persons who have purchased real estate in the county of Rabun, since the first day of June, 1865, (for reasons therein named,) to have their deeds recorded within twelve months from the passage of this act; and to protect all their rights when said deeds are so recorded, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to render certain slanders penal, and provide a punishment for the same, the committee recommend do not pass.

A bill to be entitled an act to authorize Sheriffs and other levying officers to collect advertising fees and costs of keeping property in their possession, as now provided for, before accepting an affidavit of illegality or claim, the committee recommend do not pass.

A bill to be entitled an act to authorize parties in certain cases, to file bills of exception, the committee recommend do not pass.

A bill to be entitled an act to amend an act entitled an act to amend and secure the produce, profits and rents arising from homesteads, in this State, the committee recommend do not pass.

A bill to be entitled an act to prevent the sale of spirituous liquors in a mile of Clements' Institute, etc., the committee recommend do not pass.

A bill to be entitled an act to change the seventh paragraph of section 1711 of Irwin's Revised Code, the committee recommend do not pass.

A bill to be entitled an act to authorize and require the Tax Collector of the county of Meriwether to have his office at the court-house of said county, the committee recommend do pass.

A bill to be entitled an act to amend the road laws of this State, so far as they relate to the county of Lumpkin, the committee proposes to amend by striking out the second section; and, when so amended, recommend that it do pass.

A bill to be entitled an act to organize a new Judicial Circuit, etc., the committee recommend do not pass.

A bill to be entitled an act to alter and amend an act entitled an act to fix the compensation for taking down, in writing, the evidence on charges of felony, approved October 10, 1868, the committee recommend do pass.

A bill to be entitled an act to enforce contracts of immigrants and laborers, and, for this purpose, to make the wages of said immigrants and laborers liable to garnishment in any suit to recover the amount of advances to said immigrants and laborers, in any suit for damages sustained through the failure or refusal of said immigrants and laborers to comply with said contracts, the committee recommend do not pass.

A bill to be entitled an act to amend section 4476 of Irwin's Revised Code, in relation to vagrants, the committee recommend do not pass.

A bill to be entitled an act to restrict the operation of the several sections of Irwin's Revised Code, from section 2333 to 2346, both inclusive, which declare certain lands subject to entry, under the various acts granting head rights, and which provide for legally effecting such entry, and for other purposes, that none of the said sections shall apply to, or be of any force in, the counties of Hart and Habersham, the committee recommend do not pass.

For a bill to be entitled an act to alter and amend the several acts incorporating the city of Milledgeville,

and for other purposes, the committee propose a substitute, and recommend that it do pass.

A bill to be entitled an act to alter and amend the several sections of Irwin's Revised Code from section 2716 to 2730, both inclusive, which relates to court contracts, the manner of executing, filing, construing, enforcing and rescinding the same and awarding damages for breaches thereof; and to provide a speedy and effectual method of carrying out the spirit and intent of the law, as to such contracts, the committee proposes to amend by striking out the second section, and recommend that, when so amended, it do pass.

A bill to be entitled an act to repeal section 2349 of Irwin's Revised Code, which provides for the appointment of processioners, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to alter and amend section 3178 of Irwin's Revised Code, in relation to holding adjourned terms of the Superior Court, and the trial of causes therein, etc., and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to make slander, or oral defamation criminal, and to provide for the punishment of the same, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act declaring of whom juries shall be composed, in certain cases, the committee recommend do not pass.

A bill to be entitled an act to fix the pay of grand and petit jurors and bailiffs of the Superior Courts of the county of Terrell, the committee recommend do pass.

A bill to be entitled an act to abolish the District Courts of this State, the committee recommend do not pass.

A bill to be entitled an act to alter and amend section 1640 of Irwin's Revised Code, the committee recommend do not pass.

A bill to be entitled an act to prevent and make ille-

gal the collection of costs in any cause to which the State may be a party, until the final termination of the same, the committee recommend do not pass.

For a bill to be entitled an act to repeal so much of section 699 of Irwin's Code, as exempts certain classes from road duty, and for other purposes, the committee proposes a substitute, and recommend that it do pass.

A bill to be entitled an act to amend the laws of this State in relation to garnishments, the committee recommend do pass.

A bill to be entitled an act to extend the right to unite parties in matrimony, to all practicing attorneys in this State, the committee recommend do not pass.

A bill to be entitled an act to change the time for the annual meeting of the Legislature of this State, the committee recommend do pass.

A bill to be entitled an act to provide for the registration of the legal voters of Liberty county, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to provide for certain sales, with right of redemption by the vendor, and to fix a penalty for illegal acts done in connection with and pursuance of said sales, and for other purposes, I am instructed to report back, with the recommendation that it lie on the table.

A bill to be entitled an act to repeal an act entitled an act to create the Allapaha Judicial Circuit, approved October 19, 1870, the committee recommend be indefinitely postponed.

A bill to be entitled an act to prohibit and make penal the sale of any farm products, etc., in the county of Dooly, the committee recommend do pass.

A bill to be entitled an act to repeal so much of an act entitled an act to create and organize two new Judicial Circuits out of the counties comprising the Southwestern, Brunswick and Southern Judicial Circuits, as relates to the creation and organization of the Allapaha Circuit, and for the other purposes therewith

connected, the committee recommend be indefinitely postponed.

A bill to be entitled an act to repeal section 121 of the Code of this State, the committee recommend be indefinitely postponed.

• A bill to be entitled an act to repeal an act entitled an act to fix the salaries of the Judges of the Supreme and Superior Courts of the State of Georgia, approved October 22, 1870, the committee recommend do not pass.

A bill to be entitled an act to authorize the voters of Fannin county to elect an Ordinary the committee recommend be postponed indefinitely

A bill to be entitled an act to prohibit and make penal the sale of any farm products by tenant, laborer or purchaser, etc., in the counties of Telfair and Dodge, the committee recommend do not pass.

The committee has also had under consideration a bill to be entitled an act to lay out and form a new county by the division of the county of Jefferson, and to organize the same; and I am instructed to report to the House, without recommendation, a new draft of the bill, with amendments, which, in the opinion of the committee, obviates all constitutional objections urged against the original bill.

For a bill to be entitled an act to carry into effect and enforce article three, section six, paragraph five of the Constitution of Georgia, to protect the interest of the State, in extending aid to railroads, and for other purposes, the committee instruct me to report a substitute, with the recommendation that it do pass.

A bill to be entitled an act to repeal so much of an act entitled an act to create and organize a new Judicial Circuit out of the counties composing the Southwestern, Brunswick and Southern Circuits, to provide for the appointment of Judges therefor, and for other purposes, approved October 17, 1870, as creates out of the counties of Echols, Lowdes, Clinch, Coffee and Ware, the Allapaha Judicial Circuit, and to add the county

of Lowndes to the Southern Judicial Circuit, and the counties of Echols, Clinch, Coffee and Ware to the Brunswick Judicial Circuit, the committee recommend do pass.

E. F. HOGE, *Chairman*.

The following message was received from the Executive Department, through Mr. Corson, the Secretary thereof, to-wit:

*Mr Speaker:*

His Excellency the Governor has approved and signed the following act, to-wit:

An act to amend an act entitled an act to authorize the Mayor and Council of Rome to subscribe not exceeding one hundred thousand dollars of stock in the Memphis Branch Railroad, and for other purposes.

Mr. Stovall, chairman *pro tem.* of the Enrolling Committee, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following act, to-wit:

An act to compensate grand and traverse jurors of the Superior Courts of the counties of DeKalb and Fulton, and to authorize the Tax Collectors to receive jury certificates for county taxes, and to pay Constables attending the Superior Courts of DeKalb and Fulton counties.

G. P. STOVALL,  
*Chairman pro tem. Enrolling Committee.*

The following bills were read the second time and referred to the Committee on Corporations:

A bill to amend an act to incorporate the town of Montezuma, in the county of Macon.

A bill to construct a railroad from Elberton, Georgia, to intersect with the New York & New Orleans Air-Line Railroad by the most practicable route, and for other purposes.

A bill to incorporate the Nutting Cotton Manufacturing Company of Macon, Georgia.

A bill to incorporate the Central Insurance Company of Georgia.

The following bills were read the second time and ordered to be engrossed :

A bill to change the line between the counties of Warren and McDuffie.

A bill to provide for and enforce a registration of voters in Chatham county

A bill to amend the several acts incorporating the town of Sparta.

A bill to entitle F W Dawes to practice medicine in the county of Fannin, was read the second time and referred to the Committee on Education.

Mr. Davis of Newton, chairman of the Committee on Agriculture and Manufactures, made the following report, to-wit:

*Mr Speaker :*

The Committee on Agriculture and Manufactures, to whom were referred the following bills, have had the same under consideration, and report as follows, to-wit:

A bill to be entitled an act to provide for the ditching and draining of lands under circumstances therein named, and to compel owners of mutually adjoining lands, to bear each his proper share of burden of expense and duties incident to said ditching and draining, and for other purposes, and recommend that the same do not pass.

Also, a bill entitled an act to prohibit the felling of



timber and obstructions in the Connasauga river and Coohaulla creek, in the counties of Murray and Whitfield, and recommend that the same do not pass.

Also, a bill entitled an act to create a Board of Commissioners of Roads and Revenue for the county of Paulding, and recommend that the same do pass.

Also, a bill to be entitled an act to establish a system for working the public roads, and recommend that the same do not pass.

Also, resolutions for the appointment of commissioners to receive land scrip, and locate the lands, etc., and recommend that the same do not pass.

Also, a memorial of the trustees of the North Georgia Agricultural College, and recommend that the same be indefinitely postponed.

DAVIS of Newton, *Chairman*.

Mr. Pattillo, chairman of the Committee on the Blind Asylum, submitted the following report:

*Mr Speaker:*

The Committee on the Blind Asylum beg leave to submit the following report:

The committee have instituted an examination into the management of said institution, and approve the same. Under the present efficient management the institution is accomplishing the purposes of its establishment, and is doing great good in the education of the blind, and fitting them, notwithstanding their afflictions, to become useful members of society.

The buildings are found to be in good condition, and suitably adapted to the purpose designed.

An examination of the books of the institution shows that they are properly kept, and exhibit proper vouchers for all expenditures made in the support and maintenance of the institution.

The committee respectfully recommend that the appropriation of eleven thousand dollars, asked for by the trustees of the institution, be made by the General

Assembly, as a proper provision for the necessary expenses of the next current year.

C. T. PATTILLO, *Chairman*.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bills, to-wit:

A bill to amend the law of *habeas corpus* in this State.

Also, a bill to incorporate the town of Doraville, in the county of DeKalb, and for other purposes.

Also, a bill to provide for a County Board of Commissioners for Decatur county, and for other purposes.

Also, a bill to secure the several counties of this State from cost.

Also, a bill to repeal an act entitled an act to preserve the peace and harmony of this State, and for other purposes.

Also, a bill to change the line between the counties of Coweta and Troup.

Also, a bill to amend the law establishing the Police Court of the city of Savannah.

Also, a bill to amend section 61 of the Code of Georgia.

Also, a bill to authorize married women to sue for and recover damages from persons selling their husbands liquor while intoxicated.

Also, a bill to limit the time of service of petit jurors in the Superior Courts of the county of Chatham.

Also, a bill to amend the law extending the lien of set-off and recoupment, approved October 13, 1870.

Also, a bill to make it penal to withhold money or personal property belonging to this State.

Also, a bill to provide for certain sales to secure loans and other debts.

The Senate has also concurred in a resolution of the House of Representatives, authorizing the chairmen of

the various committees, appointed under a resolution of this General Assembly to investigate the different departments of the government of this State, to issue warrants for the arrest of parties whose guilt is discovered by their investigations.

The following bills were read the second time and referred to the Committee on New Counties and County Lines:

A bill to authorize Douglas county to take stock in the Georgia Western Railroad.

A bill to change the line between the counties of Wilkes and Taliaferro.

A bill to lay out and form a new county, by the division of Jefferson county, and to organize the same, said bill being a redraft of the original bill of the same title, and the amendments thereto.

The following bills were read the second time, and referred to the Committee on Internal Improvements:

A bill to protect the people of this State against discrimination in the transportation of freight and passengers, by requiring all persons owning, controlling or operating any railroad to establish and collect a uniform rate for the transportation of freight and passengers thereon.

A bill to incorporate the Steam Road Wagon Company of Georgia.

A bill to amend the charter of the Americus & Isabella Railroad Company, and for other purposes.

The following bills were read the second time, and referred to the Committee on Banks:

A bill to incorporate the People's Savings Bank of Newnan.

A bill to incorporate the Northern Bank of the State of Georgia.

Mr. Fain, chairman of the Committee on New Counties and County Lines, submitted the following report:

*Mr. Speaker:*

The Committee on New Counties and County Lines, have had under consideration the several following bills, to-wit:

A bill to be entitled an act to change the line between the counties of Pickens and Gilmer, and for other purposes, which they recommend do pass, as amended.

A bill to be entitled an act to change the county line between the county of Walker and the county of Dade, which they recommend do not pass.

A bill to be entitled an act to change the line between the counties of Catoosa and Walker, which they recommend do pass.

A bill to be entitled an act to change the boundary line between the counties of Bartow and Polk, which they recommend do pass.

A bill to be entitled an act to change the line between the counties of Carroll and Douglas, and to add a portion of the county of Douglas to the county of Carroll, and for other purposes therein named, which they recommend do not pass.

A bill to be entitled an act to change the line between the counties of Fulton and Campbell, which they recommend do pass.

A bill to be entitled an act to change the lines between the counties of Forsyth and Milton, so as to add William J. Bell, of the county of Forsyth, to the county of Milton, which they recommend do pass.

A bill to be entitled an act to lay out a new county from the counties of Coweta, Fayette, Spalding and Meriwether, which the committee recommend do pass, as amended.

J. C. FAIN, *Chairman.*

The following message was received from the Execu-

tive Department, through Mr. Corson, the Secretary thereof, to-wit:

His Excellency the Governor has approved and signed the following act, to-wit:

An act to abolish the City Court of the city of Macon, and to repeal an act entitled an act to create and organize the City Court of the city of Macon, to define the jurisdiction thereof, and for other purposes, approved October 26, 1870, and for other purposes.

The following bills were read the second time and referred to the Committee on Finance:

A bill for the relief of John M. Peden, former Tax Collector of Gwinnett county

A bill to appropriate fifteen hundred dollars for the relief of J. I. Miller.

A bill to exempt maimed persons from the payment of poll tax.

A bill to relieve the securities of N. O. Alexander, Tax Collector for the county of Jasper for the year 1868.

A bill to repeal the eighth section of an act to levy and collect a tax for the support of the government for the year 1869.

The following bills were read the second time and referred to the Committee on Agriculture and Manufactures:

A bill to make it the duty of the several Tax Receivers of this State to collect agricultural statistics, in addition to their other duties.

A bill to incorporate the Oglethorpe Manufacturing Company of Augusta, and to exempt the same from taxation for a limited period.

Mr. Rawls, chairman of the Committee on Finance, submitted the following report:

*Mr. Speaker :*

The Committee on Finance beg leave to report as follows :

That they have had before them and duly considered, a bill to be entitled an act to provide for the levying and collecting a tax for the payment of bills for insolvent criminal cost due Benjamin L. Cole, late Sheriff of Chatham county, and William H. Bullock, late Clerk Superior Court of Chatham county, which they recommend do pass, as amended.

Also, a bill to appropriate one hundred and fifty dollars and thirty-five cents to Charles Lattimer, which they recommend do not pass.

Also, a bill to require the Tax Collector of the county of Ware to receive county scrip for taxes due the county, which they recommend do pass.

Also, a bill to require Tax Receivers to take the number of acres of land cultivated in cereals, which they recommend do pass, with amendments.

Also, a bill to refund to Jackson, Lawton & Bassinger money overpaid by them for taxes, which they recommend do pass, with amendments.

Also, a bill for the relief of F. M. Lofton, and for other purposes, which they recommend do not pass.

Also, a Senate bill to regulate the practice of dentistry in this State, which they recommend do pass.

Also, a Senate bill to provide for the payment of the debt of Clarke county, which they recommend do pass.

Also, a Senate bill to amend the attachment laws of this State, which they recommend do not pass.

The committee also instruct me to report a tax bill for the year 1872.

Also, a bill to appropriate two thousand dollars for the heirs of Colonel Mordecai Sheftall, an officer of the Revolutionary War.

MORGAN RAWLS,  
*Chairman Finance Committee.*

The rules were suspended, and the following bills were introduced and read the first time :

By Mr. Rawls, as chairman of the Committee on Finance—

A bill to appropriate money to pay the heirs of the late Col. Mordecai Sheftall, of Savannah, Georgia.

Also, a bill to levy and collect a tax for the support of the Government for the year 1872, and for other purposes.

By Mr. Chancey—

A bill to amend an act to incorporate the town of Blakely.

The rules were suspended, and a bill to incorporate the town of Colquitt, which was passed November 28, and the passage thereof reconsidered November 29, was taken up, read and passed with an amendment.

Mr. William D. Anderson, chairman of the Committee on Corporations submitted the following report :

*Mr Speaker :*

The Committee on Corporations have considered a bill to be entitled an act to amend an act entitled an act to incorporate the town of Clarksville in the county of Habersham, etc., which they recommend do pass, as amended.

A bill to be entitled an act to incorporate the town of Whitney, and to confer certain powers on the commissioners thereof, which they recommend do pass, as amended.

A bill to be entitled and act to ~~repeal~~ an act incorporating the town of Gainesville, under the name and style of the city of Gainesville, etc., which they recommend do pass, as amended.

An act to incorporate the Griswoldville & Jefferson Railroad company, which they recommend do pass.

An act to incorporate the town of Tilton, in Whitfield county, which they recommend do pass.

A bill to be entitled an act to incorporate the city of Fort Valley, and to provide for an election, which they recommend do not pass.

An act to consolidate the railroad companies known as the Chattooga Coal & Iron Railroad and the Trion Railway Company, which they recommend do pass.

A bill to be entitled an act to authorize the citizens of Thomasville to elect certain officers, which they recommend do not pass.

A bill to be entitled an act to amend an act to incorporate the Gate City Insurance Company, of the city of Atlanta, which they recommend do pass.

An act to amend the several acts consolidated and approved February 9, 1869, incorporating the town of Lumpkin, in Stewart county, which they recommend do pass, as amended.

A bill entitled an act to incorporate the town of Rutledge, in Morgan county, which they recommend do not pass.

An act to authorize the citizens of Dalton to purchase and donate certain property for certain purposes, which they recommend do pass.

A bill to prevent any person from hunting or killing deer in the counties of Talbot, Marion and Taylor, in the months of May, June, July and August, which they recommend do pass.

Also, the following Senate bills:

A bill to be entitled an act to incorporate the Chattahoochee Manufacturing Company, which they recommend do pass.

A bill to be entitled an act to amend an act, approved October 27, 1871, to open and construct a railroad from Athens, Georgia, via Clarkesville, in Habersham county, etc., which they recommend do pass.

A bill to be entitled an act to amend an act to incorporate the town of Hawkinsville, in the county of Pulaski, to define the limits of the same, which they recommend do pass.

WILLIAM D. ANDERSON, *Chairman.*



A bill to make penal a breach of contract for labor or service by the parties thereto, was read the third time.

Mr. Cumming moved to postpone the bill indefinitely.

Mr. Johnson of Clay called the previous question, and the call was sustained.

The yeas and nays were called for.

Those voting in the affirmative are Messrs.—

Allred,	Etheridge,	Nutting,
Anderson, Wm. D.	Fain,	Oliver,
Anderson, Wm. P.	Floyd,	O'Neal,
Atkinson,	Franklin,	Ormond,
Bacon,	Glover,	Paxton,
Ballanger,	Goldsmith,	Payne,
Barksdale,	Goodman,	Peeples,
Battle,	Graham,	Pentecost,
Bell,	Griffin of Houston,	Phillips,
Blue,	Hall of Upson,	Putney,
Braddy,	Hancock,	Rawles,
Brewton of Tatnall,	Head,	Richards,
Bruton of Decatur,	Hillyer,	Richardson,
Brown,	Hooks,	Sargent,
Bryan,	Hudson,	Scott,
Bunn,	Johnson of Spalding,	Sellers,
Campbell,	Joiner,	Simmons of Houston,
Carlton,	Jones of Hart,	Smith of Coweta,
Chastain,	Kelly,	Smith of Oglethorpe,
Cleghorn,	Killian,	Spence,
Clements,	Knowles,	Summerlin,
Cloud,	Lewis,	Trammell,
Clower,	Lipsey,	West,
Collins,	Mann,	Whatley,
Crittenden,	Mattox,	Williams,
Cumming,	McNeal,	Wofford of Banks,
Davis of Clarke,	Moreland,	Wofford of Bartow,
Dukes,	Morrison,	Wood.
Emerson,	Netherland,	

Those voting in the negative are Messrs.—

Baker of Bryan,	Bush,	Cody,
Baker of Pike,	Butts,	Cox,
Beaseley,	Chancey,	Davis of Newton,
Berrien,	Clark of Richmond,	Dell,
Bowie,	Clark of Troup,	Farmer,

Flynt,	Kennedy,	Russell,
Guerry,	Lamkin,	Rutherford.
Guyton,	Lang,	Simmons of Gwinnett,
Hammond,	Martin,	Simmons of Hall,
Harvey,	McConnell,	Slaton,
Heidt,	McMillan,	Snead,
Howell,	Murphy of Burke,	Stovall,
Hughes,	Palmer,	Tarver,
Hunter,	Pierce,	Taylor,
Jenkins,	Pou,	Watters,
Johnson of Clay,	Renfroe,	Wilson,
Johnson of Jefferson,	Riley,	Woodward,
Jones of Gwinnett,	Roundtree,	Wynn.
Jones of Terrell,		

Yeas, 88. Nays, 55.

So the motion to postpone indefinitely prevailed.

Mr. Johnson of Clay gave notice that he would move to reconsider this action of the House on to-morrow.

The unfinished business of yesterday, the same being the Senate bill to repeal the usury laws of this State, and to fix the rate of interest in cases where contracting parties do not fix the same in writing, was resumed.

Mr. Richards called the previous question, and the call was sustained.

The question recurring upon the motion of Mr. W. D. Anderson to postpone indefinitely, the yeas and nays were called for, and the call sustained.

Those voting in the affirmative are Messrs—

Allred,	Butts,	Franklin,
Anderson, Wm. D.,	Campbell,	Glover,
Atkinson,	Carlton,	Griffin of Houston,
Baker of Bryan,	Chancey,	Guyton,
Baker of Pike,	Chastain,	Hall of Upson,
Ballanger,	Cleghorn,	Hammond,
Barksdale,	Clements,	Hancock,
Battle,	Clower,	Howell,
Berrien,	Cox,	Hudson,
Blue,	Crittenden,	Jenkins,
Bowie,	Davis of Clarke,	Johnson of Clay,
Brewton of Tatnall,	Dell,	Johnson of Spalding,
Bruton of Decatur,	Dukes,	Jones of Hart,
Bryan,	Floyd,	Killian,

Knowles,	O'Neal,	Rutherford,
Lewis,	Ormond,	Scott,
Mann,	Palmer,	Simmons of Houston,
Mattox,	Patillo,	Smith of Coweta,
McMillan,	Paulk,	Smith of Oglethorpe,
McWhorter,	Paxton,	Summerlin,
Meadows,	Payne,	Trammell,
Moreland,	Peeples,	Watters,
Morrison,	Phillips,	West,
Murphy of Burke,	Rawls,	Williams,
Murphy of Harris,	Reid,	Wofford of Banks,
Netherland,	Richards,	Wood,
Nutting,	Richardson,	Woodward.
Oliver,	Roundtree,	

Those voting in the negative are Messrs—

Anderson, Wm. P.,	Flynt,	Mansfield,
Bacon,	Goldsmith,	McNeal,
Bateman,	Goodman,	Pierce,
Beaseley,	Graham,	Pou,
Bell,	Gray,	Putney,
Braddy,	Guerry,	Renfroe,
Bunn,	Head,	Riley,
Bush,	Heidt,	Russell,
Clark of Richmond,	Hillyer,	Sargent,
Clark of Troup,	Hoge,	Sellers,
Cloud,	Hooks,	Simmons of Gwinnett,
Cody,	Hughes,	Simmons of Hall,
Collins,	Hunter,	Snead,
Converse,	Jackson,	Spence,
Cumming,	Joiner,	Stovall,
Davis of Newton,	Jones of Gwinnett,	Tarver,
Edwards,	Jones of Terrell,	Taylor,
Emerson,	Kelly,	Whatley,
Etheridge,	Kennedy,	Wilson,
Fain,	Lamkin,	Wofford of Bartow,
Farmer,	Lang,	Wynn.
Field,	Lipsev,	

Yeas 81. Nays 65.

So the motion to postpone indefinitely prevailed.

Mr. Fain gave notice that he would move a reconsideration of this action of the House on to-morrow.

The following bills were the third time and passed:

A bill to amend section 3687 of the Revised Code of Georgia, in reference to the withdrawal of claims.

A bill to change the line between the counties of Douglas and Carroll.

A bill to create a Board of Commissioners of Roads and Revenue in the counties of Floyd, Berrien and Effingham. Passed with amendments.

The following bills were read the third time and lost :

A bill to make penal the sale of any farm products by tenant, laborer or purchaser in the counties of Telfair and Dodge.

A bill to change the line between the counties of Walker and Dade.

A bill to repeal an act to fix the salaries of the Judges of the Supreme and Superior Courts.

A bill to authorize the voters of Fannin county to elect an Ordinary was indefinitely postponed.

The following message was received from the Executive Department, through Mr. Corson, the Secretary thereof, to-wit:

*Mr Speaker :*

I am directed by his Excellency the Governor, to deliver to the House of Representatives a communication in writing, with accompanying documents.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has agreed to a resolution dismissing certain suits now pending against the State Treasurer, in which they ask the concurrence of the House of Representatives.

Also, a resolution relative to settling any contest for Governor, by the legal tribunals of the State.

On motion of Mr. Cumming, a bill for the relief of

Catharine S. W. Fleming, was recalled from the Committee on Finance, and referred to the Committee on Privileges and Elections.

A Senate bill to repeal so much of an act, assented to October 17, 1870, as creates the Allapaha Judicial Circuit, and to add the county of Lowndes to the Southern Judicial Circuit, and the counties of Echols, Clinch, Coffee and Ware to the Brunswick Judicial Circuit, was read the third time and passed.

Mr. Heidt offered a resolution tendering the thanks of this House to the Rev. Dr. Wills, for the able and interesting discourse delivered by him in this hall on yesterday; and that a committee of three be appointed to solicit a copy of the same for publication; also, that the thanks of the House be tendered to Rev. Mr. Spalding for assisting in the services of the day

The resolution was agreed to.

Leave of absence was granted to Messrs. Stovall and Cumming; also, to the assistant messenger, Mr. Denton.

The House took a recess until 3 o'clock P. M.

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AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

The following Senate bills were read the first time:

A bill to limit the time of service of petit jurors in the Superior Courts of Chatham county.

A bill to amend the law establishing the Police Court of the city of Savannah.

A bill to provide for a County Board of Commissioners for Decatur county

A bill to incorporate the town of Doraville, in the county of DeKalb.

A bill to repeal an act to preserve the peace and harmony of the people of this State.

A bill to amend section 61 of the Code, in relation to offering rewards for criminals.

A bill to authorize married women to sue for and recover damages from any person selling her husband liquor while intoxicated.

A bill to make it penal to withhold money or property belonging to the State of Georgia.

A bill to secure the several counties of the State of Georgia from costs.

A bill to change the line between the counties of Coweta and Troup.

A bill to amend an act to extend the lien of set-off and recoupment as against debts contracted before the first day of June, 1865, and to deny to such debts the aid of the courts, until the taxes thereon have been paid.

A bill to amend the law of this State in relation *habeas corpus*.

A bill to provide for sales of property in this State, to secure loans and other debts.

Mr. Nutting introduced a bill to authorize the town council of Forsyth to issue bonds as currency, to purchase stock in property of Monroe Female College and Hilliard Male Institute, and to repair said property for school purposes, which was read the first time.

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report:

*Mr Speaker :*

The Committee on Internal Improvements have had under consideration the following bills, and make the following recommendations, to-wit:

A bill to amend an act to grant to the Savannah, Skidaway & Seaboard Railroad Company the right to construct a railway through Abercorn street, and recommend the same do pass.

Also, a bill to amend section seven of an act incorporating the Albany & Columbus Railroad, and recommend the same do pass.

HALL of Upson, *Chairman*.

The following bills were read the third time and passed:

A bill to prohibit and make penal the sale of any farm products in the county of Dooly

A bill to provide for the election of an Ordinary for the county of Wilcox.

A bill to legalize the revision of the jury-boxes, and to authorize and legalize separate juries for each week of court, and the increase of pay of jurors in certain cases. Passed as a substitute for bill No. 99.

A bill to establish a City Court in the city of Atlanta.

A bill to create commissioners for the county of McIntosh, to define their powers and duties, and for other purposes. Passed as a substitute for bill No. 431, and ordered to be transmitted to the Senate forthwith.

A bill to incorporate the town of Whitney, in the county of Calhoun, and to regulate the retailing of spirituous liquors within the corporate limits of the same. Passed as a substitute for bill No. 180.

A bill to amend the laws of this State in relation to garnishments.

A bill to alter and amend sections 649 and 699 of Irwin's Revised Code. Passed, with amendment, as a substitute for bill No. 135.

A bill to amend the laws respecting nuncupative wills.

A bill to legalize the adjournment of the Superior Court of Elbert county

A bill to incorporate the Macon & Knoxville Railroad Company.

A bill to change the law of distribution, so far as it affects the separate property of married women.

A bill to amend an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution.

A bill to incorporate the town of Resaca, and for other purposes. Passed as amended.

A bill to incorporate the Mutual Protection Insurance Company of the State of Georgia.

A bill to alter and amend the several sections of Irwin's Revised Code from section 2716 to 2730, both inclusive, which relate to court contracts. Passed as amended.

A bill to alter and amend the several acts incorporating the city of Milledgeville, and for other purposes. Passed as a substitute for bill No. 200.

The following bills were read the third time and lost:

A bill to protect public roads in Thomas county.

A bill to extend the rights to unite parties in matrimony to all practicing attorneys in this State.

A bill to prevent and make illegal the collection of costs in any cause to which the State may be a party, until the final termination of the same.

A bill to alter and amend section 1640 of Irwin's Revised Code.

A bill to alter and amend section 3175 of Irwin's Revised Code.

A bill to repeal section 2349 of Irwin's Revised Code.

A bill to provide for the registration of the legal voters of Liberty county was withdrawn by Mr. Farmer, the author of the same.

A bill to make slander or oral defamation a criminal offense was laid on the table.

The following bills were read the third time and indefinitely postponed:

A bill to repeal an act to create the Allapaha Judicial Circuit.

A bill to repeal section 121 of the Code of this State..



A bill to repeal an act to change the time for the annual meeting of the Legislature of this State.

A bill to repeal so much of an act to create and organize two new Judicial Circuits as relates to the creation and organization of the Allapaha Circuit.

A bill to amend the laws in reference to wills made in another State, Territory or foreign country.

A bill to change the county site of Clarke county from Watkinsville to Athens.

Mr. Jackson gave notice that he would move on to-morrow to reconsider the indefinite postponement of a bill to amend the laws in reference to wills made in another State, Territory or foreign country.

Mr. Goodman gave notice that he would move on to-morrow to reconsider the passage of a bill to change the line between the counties of Douglas and Carroll.

Mr. Russell offered a resolution, that after this day there shall be a night session of the House of Representatives, from 7 P. M. until 9 P. M.

The resolution was lost.

On motion, the House adjourned until 9 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Saturday, December 2, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Heidt.

The Journal of yesterday was read and approved.

Mr. Goodman moved to reconsider so much of the Journal as relates to the passage of a bill to change the line between the counties of Douglas and Carroll.

The motion did not prevail.

Mr. Fain moved to reconsider so much of the Journal as relates to the indefinite postponement of a Senate

bill to repeal the usury laws of this State, and to fix the rate of interest in cases where contracting parties do not fix the same in writing.

Mr. Pierce called the previous question, and the call was sustained.

The main question was voted down, and the motion to reconsider laid over under the rules until Monday next, December 4.

Mr. Johnson of Clay moved to reconsider so much of the Journal as relates to the indefinite postponement of a bill to make penal a breach of contract for labor or service by the parties thereto.

Mr. W. D. Anderson called the previous question, and the call was sustained.

The motion to reconsider was lost.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker :*

The Committee on the Judiciary have had under consideration a number of bills referred thereto, and I am instructed to report as follows :

A bill to be entitled an act for the relief of William Gibson, and Lewis DeLoach, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to change the time of holding the Superior Court in the Flint Judicial Circuit, the committee suggest be amended by striking out all that affects the county of Pike, and when so amended, that it do pass.

A bill to be entitled an act to change the time of holding the Superior Courts in the county of Worth, the committee recommend do pass.

A bill to be entitled an act for the election of a Board of County Commissioners for the county of Screven, and for other purposes, the committee recommend do pass.

A bill to be entitled an act to amend section 3151,

part two, title nine, chapter fourteen of Irwin's Revised Code, the committee recommend do pass.

A bill to be entitled an act to repeal the first and second sections and to alter and amend the third section of an act entitled an act to prescribe the practice in cases of injunction, and other extraordinary remedies in equity, and the manner of taking judgments on the same to the Supreme Court, the committee recommend do pass.

A bill to be entitled an act to provide for the payment of two judgments obtained against the State under the act of April 17, 1863, the committee recommend do pass.

A bill to be entitled an act to alter and amend an act assented to October 6, 1868, is reported back with a substitute, and the committee recommend that the substitute do pass.

A bill to be entitled an act more effectually to protect religious worship in the State of Georgia, the committee propose to amend by striking out the second section, and recommend that, when so amended, the bill do pass.

A bill to be entitled an act to authorize the sale of personal property at any place within the limits of Milton county, the committee recommend do not pass.

A bill to be entitled an act to allow persons to make a return of their taxable property to the Clerk of the Superior Court in certain cases, and for other purposes therein mentioned, the committee recommend do not pass.

A bill to be entitled an act to require all declarations and defenses in causes at common law, in the Superior Courts of this State, to be complete as filed at the first or appearance term, and to prohibit amendments introducing new matter of substance, except in certain cases, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to alter and amend section 2850 of Irwin's Revised Code, in relation to the

nature of set-off, the committee recommend do not pass.

A bill to be entitled an act to alter and amend section 689 of Irwin's Revised Code, the committee recommend do not pass.

A bill to be entitled an act to revise the jury box of Fayette county, the committee recommend do not pass.

A bill to be entitled an act to repeal an act entitled an act to consolidate the offices of Tax Receiver and Collector for the county of Dade, the committee recommend do pass.

A bill to be entitled an act to exempt from jury duty in the county of Chatham all regularly licensed physicians, who are actually engaged in the practice of their professions, the committee recommend do pass.

A bill to be entitled an act to regulate the wages of labor in certain cases in the county of Clarke, the committee recommend do not pass.

A bill to be entitled an act for the protection of the Clerks of Superior Courts and Sheriffs of this State, and secure their fees, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to make the compensation of grand and petit and tales jurors in the counties of Taylor and Chattahoochee two dollars per day, the committee recommend do not pass.

A bill to be entitled an act to authorize Nathan Chapman to exhibit sleight of hand, etc., free of taxes, the committee recommend do not pass.

A bill to be entitled an act to alter and amend the third paragraph of section 2448 of Irwin's Revised Code, so as to increase the interest of the wife as an heir-at-law in the estate of her deceased husband, I am instructed to report back without recommendation.

A bill to be entitled an act to amend the usury laws of this State, the committee recommend do not pass.

A bill to be entitled an act to prescribe who shall be jurors in certain cases in Baldwin county, the committee recommend do not pass.

A bill to be entitled an act to regulate labor in the county of Baldwin, the committee recommend do not pass.

A bill to be entitled an act to reduce the bond of the Sheriff of Banks county, the committee recommend do pass.

A bill to be entitled an act to alter and amend section 3434 of Irwin's Revised Code, the committee recommend do pass.

A bill to be entitled an act to amend the homestead laws of this State, the committee recommend do not pass.

For a bill to be entitled an act to repeal sections 4480, 4664, 4665, 4666 and 4667 of Irwin's Revised Code, the committee proposes a substitute, and recommend that it do pass.

A bill to be entitled an act to legalize the county tax levied by the Ordinary of Dougherty county for the year 1871, the committee recommend do pass.

A bill to be entitled an act to reduce the bond of the Sheriff of Heard county, the committee recommend do pass.

A bill to be entitled an act to amend article four, section two of the Constitution of the State of Georgia, upon the two-thirds vote of the present and next succeeding Legislature, and upon the ratification of the same by the qualified voters of this State, the committee recommend do not pass.

A bill to be entitled an act to authorize the revision of the jury-box in the county of Twiggs, the committee recommend do not pass.

A bill to be entitled an act to prescribe by law for jurors in the county of Stewart, the committee recommend do not pass.

A bill to be entitled an act to provide for selling horses, hogs or cattle that are levied on and claimed, where the levying officer has to keep said animals until the trial of said claim, the committee recommend do pass.

A bill to be entitled an act to revise the jury-boxes throughout this State, the committee recommend do not pass.

A bill to be entitled an act to amend section 635 of the Code of Georgia, the committee recommend do pass.

A bill to be entitled an act to secure the costs of the officers of court of the various courts of this State, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to authorize the Ordinaries in the various counties of this State to order the sale of homesteads and personalty, when an issue is formed in relation to the valuation thereof, the committee recommend do not pass.

A bill to be entitled an act to make it unlawful for the Mayor and Council of an incorporated city or town in this State to levy tax on cotton sales made in said city or town, the committee recommend do not pass.

A bill to be entitled an act to compensate the grand and petit jurors of the county of Pike, the committee recommend do pass.

A bill to be entitled an act prescribing who shall be jurors in certain cases, in the county of Morgan, in this State, the committee recommend do not pass.

A bill to be entitled an act to prescribe by law for jurors in the county of Monroe, the committee recommend do not pass.

A bill to be entitled an act to consolidate the offices of Sheriff and Tax Collector in and for the county of Jones, the committee recommend do pass.

A bill to be entitled an act to require Justices of the Peace, or Judicial Notaries, in each militia district, to return to the Receiver of tax returns all persons liable to pay taxes, etc., in their districts, the committee recommend do not pass.

A bill to be entitled an act to change the fees of officers of court, so far as applies to Sheriffs of this State, in

the keeping of live stock when levied upon, the committee recommend do pass.

A bill to be entitled an act to amend section 1626 of Irwin's Revised Code, by adding to said section the words, "and cooking stoves and their fixtures," the committee recommend do not pass.

A bill to be entitled an act to authorize the investment of trust funds upon certain terms and conditions, the committee recommend do not pass.

A bill to be entitled an act to amend section 4026 of Irwin's Revised Code, touching the trial of nuisances in the case of a grist or saw-mill or other water machinery of valuable consideration, the committee recommend do not pass.

A bill to be entitled an act to extend the right of dissolving garnishments to persons other than defendants, the committee recommend do pass.

A bill to be entitled an act for the relief of William Hanby and Adaline Hendricks, both of the county of DeKalb, the committee recommend do not pass.

A bill to be entitled an act to alter and amend section 650 of Irwin's Revised Code, so far as the same relates to the county of Colquitt, the committee recommend do pass.

A bill to be entitled an act to give Ordinaries of the several counties of this State, authority to issue attachments, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to appoint a commission for certain purposes, the committee recommend do not pass.

A bill to be entitled an act to alter and amend the road laws of this State, so far as relates to the county of Bibb, and to authorize and require the Ordinaries of said county to levy and collect a tax for road purposes, the committee recommend do pass.

A bill to be entitled an act to amend section 2532 of the Code of Georgia, the committee recommend do not pass.

For a bill to be entitled an act to amend an act entitled an act to give to persons who may be employed in and about any steam saw-mill located in the State of Georgia, or any person who may provide any steam saw-mill with timber, saw-logs, etc., a lien on said saw-mill, etc., and to give the owners of such mills a lien on lumber, etc., the committee propose a substitute, and recommend that it do pass.

E. F. HOGE, *Chairman*.

Mr. Fain, chairman of the Committee on New Counties and County Lines, submitted the following report:

*Mr Speaker :*

The Committee on New Counties and County Lines make the following report, to-wit:

A bill to be entitled an act to change the line between McDuffie and Columbia counties, which they recommend do pass.

J. C. FAIX, *Chairman*.

The Speaker announced the appointment of the following committees, under a joint resolution appointing various committees to inquire into the different departments of the State government:

To investigate the official conduct of Rufus B. Bullock, late Governor of this State, Messrs. Hoge of Fulton, Payne of Catoosa, McNeal of Randolph.

To investigate the administration and management of the Western & Atlantic Railroad, Messrs. Snead of Richmond, Phillips of Echols, Goldsmith of DeKalb.

To investigate the fairness or unfairness of the lease of the Western & Atlantic Railroad, Messrs. Pierce of Hancock, Netherland of Rabun, Hudson of Schley.

To investigate the conduct of the commissioners appointed under the act of 1870, to audit claims against the Western & Atlantic Railroad, Messrs. Wofford of Bartow, Head of Haralson, Woodward of Dooley.



Mr. Davis of Newton, chairman of the Committee on Agriculture and Manufactures, submitted the following report, to-wit:

*Mr. Speaker:*

The Committee on Agriculture and Manufactures, to whom were referred certain Senate bills, have had the same under consideration, and make the following report, to-wit:

A bill to be entitled an act to incorporate the La Grange & Barnesville Railroad Company, and to grant certain powers and privileges to the same, and for other purposes, which they recommend do pass.

Also, a bill to be entitled an act to incorporate the Oglethorpe Fertilizing Company, and for other purposes, and recommend that the bill be amended by striking out so much of the latter clause of the fourth section as reads as follows, to-wit: "And the stockholders in said company shall be liable *pro rata* for the debts of said company to the amount of stock by them respectively held at the time such liability was incurred, and for no greater amount," and that the bill do pass.

DAVIS of Newton, *Chairman*.

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bill:

A bill to amend the law relative to writs of *quo warranto* in the State of Georgia.

Mr. Jackson, chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

The Committee on Education have had under consideration the following bills, and herewith submit their report on the same:

A bill to be entitled an act to amend an act entitled an act to establish a system of public instruction, approved October 13, 1870, so far as the same relates to the county of Lumpkin, which they recommend do not pass.

A bill to be entitled an act to provide for the payment of a portion of the fund raised for school purposes to the city of Columbus, to which the committee offer an amendment, and as amended, recommend that it do pass.

A bill to be entitled an act to amend an act assented to December 31, 1838, to establish and incorporate a Medical College in the city of Savannah, and for other purposes, which they recommend do pass.

A bill to be entitled an act to endow the Atlanta University, which they recommend do not pass.

A bill to be entitled an act to amend an act to establish a system of public instruction, approved October 1870, and for other purposes, which they recommend do not pass.

A bill to be entitled an act to repeal the school law, approved 1870, and for other purposes, which they recommend do not pass.

A bill to be entitled an act to alter and amend an act to incorporate the Georgia Military Institute, and for other purpose therein named, to which the committee offer an amendment, and as amended they recommend that the same do pass.

A bill to be entitled an act to entitle F W Dawes to practice medicine in the county of Fannin, which they recommend do not pass.

HENRY JACKSON,  
*Chairman of Committee on Education.*

The following bills were read the third time and passed:

A bill to amend section 3151 of the Revised Code.

A bill to amend an act to alter and amend the several acts incorporating the city of Macon, approved Decem-

ber 27, 1847, and the several acts amendatory thereto; to grant additional powers to the Mayor and Council of the city of Macon, and for other purposes.

A bill to repeal the first and second sections, and to alter and amend the third section of an act to prescribe the practice in cases of injunction and other extraordinary remedies in equity, and the manner of taking judgments on the same to the Supreme Court.

A bill to change the line between McDuffie and Columbia counties.

A bill to alter and amend an act to fix the compensation for taking down in writing the evidence on charges of felony. Approved October 10, 1868.

A bill to amend the road laws of this State, so far as they relate to the county of Lumpkin.

A bill to authorize the Tax Collector of Madison county to receive jury certificates in payment of all taxes due said county

A bill to incorporate the Grand Bay Paper Manufacturing Company.

A bill to constitute a Board of Commissioners for Meriwether county

A bill to require the Tax Collector of the county of Meriwether to have his office at the court-house of said county

A bill to incorporate the town of Rutledge, in Morgan county

A bill to prevent the sale of spirituous liquors within a mile of Clement's Institute.

A bill to amend an act for the better regulation and government of the town of Sparta, in the county of Hancock, and the acts amendatory thereof.

A Senate bill to protect the people of this State against the illegal and fraudulent issue of bonds and securities, and for other purposes.

A bill to provide for the levying and collecting of a tax for the payment of bills of costs due Benjamin L. Cole, late Sheriff, and W. H. Bulloch, late Clerk Superior Court of Chatham county.

On motion of Mr. Russell, the last mentioned bill was ordered to be transmitted to the Senate forthwith.

Mr. Phillips offered a resolution instructing the Committee on Finance to report upon payment of the per diem and mileage of the late Hon. W. A. Ballard to his widow, which was read and referred to the Committee on Finance.

Mr. Rawls, chairman of the Committee on Finance, submitted the following report:

*Mr Speaker :*

The Committee on Finance beg to make the following report:

That they have had before them, and duly considered, several bills requiring taxes on wild lands to be paid in the counties where said lands lie, which they recommend do not pass.

Also, a bill to appropriate money to pay Samuel Weil, which they recommend do not pass.

Also, a bill to authorize the Ordinary of Early county to levy a tax to supply medicine, which they recommend do not pass.

Also, a bill to regulate jury fees in Clayton county, which they recommend do pass.

Also, a bill to make employers responsible for the taxes of laborers, which they recommend do not pass.

Also, a bill to require owners of cattle and sheep, grazing in Colquitt county, to pay taxes on the same, which they recommend do pass.

Also, a bill for the relief of B. Chancey, which they recommend do pass.

Also, a bill to exempt maimed persons from taxation on one thousand dollars, which they recommend do not pass.

Also, a bill for the relief of James H. Winn, which they recommend do not pass.

Also, a bill to require the Tax Collector of Pierce

county to take jury scrip for county taxes, which they recommend do pass.

Also, a bill to regulate the county tax of Pierce, which they recommend do not pass.

Also, I am instructed to recommend an appropriation of eight hundred dollars to pay Fleming G. Grieve, which is hereby recommended.

MORGAN RAWLS, *Chairman*.

Mr. Davis, chairman of the Committee on Agriculture and Manufactures, made the following report, to-wit:

*Mr Speaker :*

The Committee on Agriculture and Manufactures, to whom were referred certain bills, have had the same under consideration, and make the following report, to-wit:

A bill to be entitled an act to submit to the legal voters of Georgia the question of abolishing the enclosures to farm lands in this State, and for other purposes, and recommend that it do not pass.

Also, a bill to prohibit and make penal the sale or purchase of agricultural products between the hours of sunset and sunrise, which they recommend do pass, with the amendments proposed by this committee.

Also, a bill to prevent the sale of farm products between the hours of sunset and sunrise, in the counties of Richmond and Burke, which they recommend do pass, with the amendments proposed by the committee.

Also, a bill to prohibit the sale and purchase, in Jefferson county, of agricultural products after dark, which they recommend do pass, with the amendments proposed by the committee.

J B. DAVIS, *Chairman*.

The bill to incorporate the Exchange Bank of Macon, was read the third time.

A constitutional majority of two-thirds being required for its passage, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Allred.	Graham,	O'Neal,
Anderson, Wm. D.	Gray,	Ormond,
Anderson, Wm. P.	Griffin of Houston,	Palmer,
Atkinson,	Guerry,	Patillo,
Bacon,	Guyton,	Paulk,
Baker of Bryan.	Hall of Upson,	Payne,
Baker of Pike,	Hammond,	Peeples,
Bateman,	Hancock,	Pentecost,
Battle,	Harvey,	Pierce,
Beaseley,	Head,	Pou,
Bell,	Heidt,	Putney,
Blue,	Hillyer,	Rawls,
Bowie,	Hooks,	Reid,
Braddy,	Hudson,	Renfroe,
Brewton of Tatnall,	Hughes,	Richards,
Brown,	Hunter,	Richardson,
Bryan,	Jackson,	Riley,
Bush,	Jenkins,	Roundtree,
Campbell,	Johnson of Spalding,	Russell,
Carlton,	Joiner,	Rutherford,
Clark of Richmond,	Jones of Gwinnett,	Scott,
Cleghorn,	Jones of Hart,	Sellers,
Clements,	Jones of Terrell,	Simmons of Gwinnett,
Cloud,	Kelly,	Simmons of Hall.
Clower,	Kennedy,	Simmons of Houston,
Cody,	Killian,	Slaton,
Collins,	Lamkin,	Smith of Coweta,
Craig,	Lang,	Smith of Oglethorpe,
Crittenden,	Lewis,	Spence,
Cumming,	Lipsey,	Tarver,
Davis of Clarke,	Mansfield,	Taylor,
Dell,	Martin,	Trammell,
Dukes,	McConnell,	Watters,
Emerson,	McMillan,	West,
Etheridge,	McNeal,	Whatley,
Fain,	Meadows,	Williams,
Farmer,	Moreland,	Wilson,
Field,	Morrison,	Wofford of Banks,
Floyd,	Murphy of Burke,	Wofford of Bartow,
Flynt,	Netherland,	Wood,
Franklin,	Nutting,	Woodward,
Glover,	Oliver,	Wynn.

Those voting in the negative are Messrs—

None.

Yeas, 123. Nays, 0.

So the bill was passed by the requisite majority.

The following message was received from the Executive Department, through Mr. Corson, Secretary thereof, to-wit:

*Mr Speaker :*

His Excellency the Governor has approved and signed the following acts, to-wit:

An act to change the charter of the University of Georgia so as to add four additional trustees to the board, and give the election of said trustees to the Alumni Society

Also, an act to authorize the County Commissioners of Pike county to audit claims of officers for extra services, and for other purposes.

Also, an act to compensate grand and traverse jurors of the Superior Courts of the counties of DeKalb and Fulton, and to authorize the Tax Collectors to receive jury certificates for county taxes, and to pay constables attending the Superior Courts of DeKalb and Fulton counties.

Also, an act to compensate grand and traverse jurors of the county of Polk.

Mr. Hall of Upson, chairman of the Committee on Internal Improvements, submitted the following report, to-wit:

*Mr Speaker :*

The Committee on Internal Improvements have had under consideration the following bills, and make the following recommendations, to-wit:

A bill to amend the charter of the Americus & Isabella Railroad, and recommend that the same do pass.

Also, a bill to incorporate the Steam Road Wagon Company, and, with the amendments proposed by the committee, recommend that the same do pass.

Also, a bill to protect the people of this State against discrimination in the transportation of freight and pas-

sengers, and making such discrimination a penal offense, and for other purposes, and recommend that the same do not pass.

HALL of Upson, *Chairman*.

Mr. Craig, chairman of Enrolling Committee, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following resolution.

A resolution providing for the arrest of certain persons.

H. L. W CRAIG, .

*Chairman Enrolling Committee.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bill of the House of Representatives, and I am instructed to transmit the same forthwith to the House of Representatives:

A bill to amend an act, approved October 10, 1868, entitled an act to incorporate the Memphis Branch Railroad Company, and for other purposes.

The following bills were read the third time and lost:

A bill to create a new judicial circuit.

A bill to change the seventh paragraph of section 1711 of Irwin's Revised Code.

A bill to require all parties who own lands in the county of Miller to give in and pay the taxes due thereon in said county.



On motion of Mr. Hoge, the rules were suspended, and a Senate bill to amend the law relative to writs of *quo warranto* in the State of Georgia was read the first time.

A bill to authorize the Town Council of Forsyth to issue bonds as currency to purchase stock in property of Monroe Female College and Hilliard Male Institute, and to repair said property for school purposes, was read the second time and committed.

The following bills were read the third time and indefinitely postponed:

A bill to enforce contracts of immigrants and laborers, and for this purpose to make their wages liable to garnishment in certain cases.

A bill to amend section 4476 of Irwin's Revised Code in relation to vagrants.

A bill to prohibit and make penal the sale or purchase of agricultural products between the hours of sunset and sunrise was read the third time.

Mr. W. D. Anderson moved to lay the bill on the table, which motion did not prevail.

Mr. Richardson moved to amend by excluding from the provisions of the bill the county of Clarke; Mr. Rawls, the county of Effingham; Mr. Joiner, the counties of Dougherty and Camden; Mr. Allred, the county of Pickens; Mr. Chastain, the county of Gilmer; Mr. Simmons, the county of Hall, and Mr. Brown, the county of Monroe.

Mr. McMillan moved to recommit to the Committee on Agriculture and Manufactures.

Mr. Pierce called the previous question, which was sustained, and the motion to recommit prevailed.

The Speaker announced the following gentlemen as the committee to request a copy of the sermon delivered by Dr. Wills, on Thanksgiving day, for publication: Messrs. Heidt, McMillan, and Crittenden.

Mr. McMillan offered a resolution that one thousand

copies of the said sermon be printed for the use of members of this House and their constituents, which was agreed to.

Leave of absence was granted to Messrs. Lamkin, Colby, McWhorter, Smith of Coweta, and Jones.

Mr. Hudson of Schley offered the following resolution, which was unanimously agreed to :

Whereas, the Hon. Wright Brady, a member of this House, from the county of Sumter, departed this life on the 30th ultimo ; and whereas, it is just and proper his memory should be honored : therefore,

*Be it resolved by the House of Representatives*, That in the death of the Hon. Wright Brady, the General Assembly of Georgia has lost an honored and faithful member, a man who has often served his constituents in councils of State, and always with fidelity and zeal. He was honored for his unswerving devotion to principle and love of justice.

*Resolved*, That the sympathy and condolence of the General Assembly is hereby tendered to his bereaved family and friends.

*Resolved*, That the General Assembly do now adjourn until ten o'clock Monday next, as a mark of respect to the memory of the deceased.

*Resolved*, That the chair of the deceased be draped in mourning, and that the Clerk of this House be instructed to furnish a copy of these resolutions to the family of the deceased.

The Speaker declared the House adjourned until 10 o'clock A. M. on Monday next.

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ATLANTA, GEORGIA,

Monday, December 4, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Griffin of Houston moved to reconsider so much of the Journal as relates to the passage of a Senate bill to protect the people of this State against the illegal and fraudulent issue of bonds and securities, and for other purposes.

Mr. Hudson called the previous question, and the call was sustained.

The motion to reconsider was lost.

The unfinished business of yesterday, the same being the motion of Mr. Fain to reconsider so much of the Journal of Friday as relates to the indefinite postponement of a Senate bill to repeal the usury laws of this State, and to fix the rate of interest, where contracting parties do not fix the same in writing, was taken up.

A call for the previous question having been sustained on Saturday, and the main question subsequently voted down, the Speaker ruled that the first question to be voted on by the House was whether the main question should now be put.

The vote was taken, and the main question ordered, the same being the motion to reconsider the indefinite postponement of the bill.

Mr. W. D. Anderson moved to lay the motion to reconsider on the table, and the motion prevailed.

Mr. Hudson offered the following resolution, which was agreed to:

*Resolved*, That the members of this House do wear the usual badge of mourning for thirty days, in respect to the memory of the Hon. Wright Brady, deceased.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr Speaker:*

The Committee on the Judiciary have had under consideration a number of the bills referred thereto, and I am instructed to report as follows:

A bill to be entitled an act to authorize the Ordinaries of this State to appoint constables under certain contingencies therein specified, the committee recommend do not pass.

A bill to be entitled an act to provide for the levying and collection of a tax for the payment of the costs in insolvent criminal cases in the county of Lee, the committee recommend do not pass.

A bill to be entitled an act to establish a Board of Commissioners of Roads and Revenue for the county of Habersham, to define their duties, and for other purposes therein named, the committee recommend do pass.

A bill to be entitled an act to create and organize a new judicial circuit out of the counties composing the Southern, Macon and Middle Circuits; to provide for the appointment of a judge thereof, and for other purposes, the committee recommend do pass.

A bill to be entitled an act to add the counties of Clinch, Echols and Lowndes, of the Allapaha Circuit, to the Southern Judicial Circuits, and to fix the time of holding the Superior Court in the last named circuit, the committee recommend do pass.

A bill to be entitled an act to provide by law for the division of homesteads in this State, the committee recommend do not pass.

A bill to be entitled an act to alter and amend the road laws of this State, the committee recommend do not pass.

A bill to be entitled an act to authorize the Governor to order an election in the county of Sumter, the committee recommend do not pass.

A bill to be entitled an act to incorporate the town of Vienna, in Dooly county, and appoint commissioners for the same, and for other purposes, the committee recommend do pass.

A bill to be entitled an act to authorize the Ordinary and Road Commissioners of the county of Dooly to classify the public roads in said county, and define the

width and prescribe the amount of work to be done thereon, the committee recommend do pass.

A bill to be entitled an act to increase the pay of grand and petit jurors of the county of Fannin, the committee recommend do not pass.

A bill to be entitled an act to require Justices of the Peace and Notaries Public *ex officio* Justices of the Peace to keep dockets, and to exhibit them to the grand juries of their respective counties, the committee recommend do pass.

A bill to be entitled an act giving the several Ordinaries of this State power to appoint commissioners of public roads, the committee recommend do not pass.

A bill to be entitled an act to exempt Justices of the Peace and Judicial Notaries Public from jury duty, the committee recommend do not pass.

A bill to be entitled an act to compensate grand and petit jurors of the county of Jefferson, by paying them mileage, the committee recommend do not pass.

A bill to be entitled an act to change the time of holding the Superior Courts of Muscogee county, the committee recommend do pass.

A bill to be entitled an act to authorize Nicholas J. Fogarty, of the county of Muscogee, to practice medicine and to charge for the same, the committee recommend do pass.

A bill to be entitled an act to relieve maimed and indigent persons from paying a poll tax or doing public duty, the committee recommend do not pass.

A bill to be entitled an act to encourage and protect the people of this State in the rearing of oysters and fish in the tide waters thereof, and for other purposes, the committee recommend do pass.

A bill to be entitled an act to amend an act entitled an act to create a Board of Commissioners of Roads and Revenue in the county of Glynn, approved October —, 1870, the committee recommend do pass.

A bill to be entitled an act to prescribe the manner

of enforcing attorney's liens, and for other purposes, the committee recommend do not pass.

A bill to be entitled an act to prescribe the mode of payment of costs in criminal cases, to Magistrates and Constables of Richmond county, the committee recommend do pass.

A bill to be entitled an act to amend the laws of this State in relation to fences and enclosures, and for other purposes, the committee recommend do pass.

A bill to be entitled an act to require the Ordinaries of the several counties in the State, in issuing orders on the several County Treasurers, to specify in said order the particular fund out of which said order ought rightfully to be paid, the committee recommend do pass.

A bill to be entitled an act to amend and add to the law of arson in the State of Georgia, the committee recommend do pass.

A bill to be entitled an act to allow plaintiffs in execution a right to recover damages in certain cases, the committee recommend do pass.

A bill to be entitled an act to amend section 4428 of the Code of Georgia, so as to secure the performance of contracts for labor, the committee proposes to amend and recommend that when amended as proposed, it do pass.

A bill to be entitled an act to amend an act to prescribe the practice in cases of injunction, and other extraordinary remedies in equity, and the manner of taking judgment thereon, to the Supreme Court, the committee recommend do pass.

A bill to be entitled an act to amend section 649 of Irwin's Revised Code, the committee recommend do not pass.

A bill to be entitled an act to repeal an act entitled an act to amend an act assented to 27th August, 1870, the committee recommend do pass.

The committee propose certain amendments to a bill to be entitled an act to confer additional powers upon

the corporate authorities of the town of Barnesville, in the county of Pike, and recommend that, when amended as proposed, the bill do pass.

To a bill to be entitled an act to change the time of holding the Superior Court of Talbot county, the committee propose amendments and recommend that, when amended as proposed, the bill do pass.

E. F. HOGE, *Chairman.*

The following message was received from the Senate through Mr. Hill the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bills:

A bill to incorporate the Hawkinsville & Eufaula Railroad Company.

Also, a bill to change the line between counties of Greene and Morgan.

Also, a bill to authorize the local authorities of Chatham county to abolish the road leading from the Isle of Hope to the main road on Skidaway Island.

Also, a bill to amend an act to incorporate the Savannah Medical College.

Also, a bill to carry into effect the election of Governor to fill the unexpired term of Rufus B. Bullock.

The Senate has also agreed to a resolution relative to the Cherokee Indian citizens of Georgia.

Also, a resolution in relation to the settlement of John Jones, former Treasurer, with the present Treasurer.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment reports as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit:

A bill to be entitled an act to amend an act, approved October 10, 1868, entitled an act to incorporate the Memphis Branch Railroad Company, and to grant certain powers and privileges to the same, and for other purposes, and to legalize and make valid the organization of said company

H. L. W. CRAIG,  
*Chairman Enrolling Committee.*

The following message was received from the Executive Department, through Mr. Corson, the Secretary thereof, to-wit:

*Mr Speaker:*

His Excellency the Governor has signed the following act, to-wit:

An act to repeal an act entitled an act to provide for an election, and to alter and amend the laws in relation to the holding of elections, approved October 3, 1870.

On motion of Mr. Jackson, the rules were suspended and a bill to amend an act to establish a system of public instruction, approved October 13, 1870, and for other purposes, was taken up.

Mr. Russell moved to take up the bill by sections and the motion prevailed.

The first, second, third and fourth sections were read and passed.

The fifth section was read.

Mr. McMillan moved to amend by striking out of the third line thereof the words "two dollars for said day's service," and inserting "such sum not exceeding two dollars for said day's service as the grand jury at the time of selecting the commissioners shall determine."

The motion prevailed and the section was passed as amended.

The sixth, seventh, eighth, ninth, tenth, eleventh,



twelfth, thirteenth, fourteenth and fifteenth sections were read and passed.

The sixteenth section was read.

Mr. Cumming moved to amend by striking out all of said section after the word "session," in the eighth line thereof, and inserting the words "and said grand jury may, if they approve said estimate, authorize the Ordinary, or the County Commissioners in such counties, to levy a tax sufficient to raise the requisite sum."

The motion prevailed, and the section was passed as amended.

The seventeenth section was read and passed.

Mr. Netherland moved to insert as an additional section, to be known as section eighteen, the following words:

"That in section twenty-two of said recited act of 30th of October, 1870, after the words 'orthography, reading, writing, arithmetic, English grammar and geography,' the words 'or any of said branches sufficient to satisfy the demands of the district in which said applicant proposes to teach, to be judged of by said board,' be inserted as a part of such section."

The motion prevailed, and said section was passed.

The bill as amended was then read and passed as a whole.

A bill to secure to educational purposes the fund now due to the Department of Education, to fund the same, and for other purposes, was read the third time.

Mr. Jackson moved to fill the blank in the first section with the sum of \$1,013,283.

The motion was lost.

Mr. Riley moved to postpone the bill indefinitely, and the motion was lost.

Mr. Jackson moved to fill the blank aforesaid with the sum of \$432,282.

The motion did not prevail.

Mr. Scott moved to lay the bill on the table, which motion prevailed.

Leave of absence was granted Mr. Scott.

The House took a recess until 3 o'clock P. M.

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AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

The following bills were read the third time and passed :

A bill to incorporate the Atlanta & Tennessee Railroad Company.

A bill to carry into effect article three, section six, paragraph five, of the Constitution of Georgia, to protect the interest of the State in extending aid to railroads, and for other purposes. Passed as a substitute, recommended by the Committee on Internal Improvements, for bill No. 261.

A bill to create a Board of Commissioners for the county of Liberty, and to define their duties.

A bill to amend an act to confer additional powers upon the Mayor and Council of the city of LaGrange, to regulate taxation in said city, and for other purposes.

A bill to incorporate the town of Lawtonville.

A bill to authorize the Mayor and City Council of LaGrange to issue bonds to aid in building a railroad, and for other purposes.

A bill to alter and amend an act to incorporate the Newnan & Americus Railroad Company, and for other purposes, assented to August 27, 1870.

A bill to authorize the corporate authorities of the city of Dalton to issue bonds for educational and other purposes.

A bill to amend an act to incorporate the Lookout Mountain Railroad Company, and to extend the aid of the State to the same, and for other purposes.

A bill to amend an act to incorporate the Gate City Insurance Company of the city of Atlanta, and to change its name.

A bill for the election and creation of a Board of Commissioners for the county of Screven.

A bill to authorize the Board of Commissioners for Liberty county to levy a tax on pistols, guns and dogs, for county purposes.

Mr. William D. Anderson, chairman of the Committee on Corporations, submitted the following report:

*Mr Speaker :*

The Committee on Corporations have considered the following bills :

A bill to amend the act incorporating the town of Montezuma, which the committee recommend do pass, as amended.

A bill to be entitled an act to incorporate the Georgia & Alabama Coal and Iron Mining and Manufacturing Company, which the committee recommend do pass.

A bill to incorporate the town of Lawtonville, which the committee recommend do pass as amended.

A bill to incorporate the Central Insurance Company, which the committee recommend do pass.

A bill to incorporate the town of DeSoto, in the county of Floyd, which the committee recommend do pass, as amended.

A bill to incorporate the Nutting Cotton Manufacturing Company, of Macon, Georgia, which the committee recommend do pass, as amended.

A bill to incorporate the town of Dublin, in the county of Laurens, which the committee recommend do pass, as amended.

A bill to amend the act to construct a railroad from Elberton, Georgia, to intersect with the New York & New Orleans Air-Line Railroad, which the committee recommend do pass, as amended.

A bill to incorporate the town of Luthersville, in Meriwether county, which the committee recommend do pass.

WILLIAM D. ANDERSON, *Chairman.*

Mr. Divis of Newton, chairman of the Committee on Agriculture and Manufactures, made the following report, to-wit:

*Mr Speaker:*

The Committee on Agriculture and Manufactures, to whom were referred certain bills, have had the same under consideration, and make the following report, to-wit:

A bill to be entitled an act to make it the duty of the several Tax Receivers of this State to collect agricultural statistics, in addition to their other duties, and recommend that the same do pass.

Also, a bill to be entitled an act to incorporate the Oglethorpe Manufacturing Company of Augusta, and to exempt the same from taxation for a limited period, and recommend that it do pass, as amended, to-wit: in section five, amend by striking out "seven years," and inserting "five years."

JOHN B. DAVIS, *Chairman.*

Mr. Cumming, chairman of the Committee on Banks, submitted the following report, to-wit:

*Mr Speaker:*

The Committee on Banks have had under consideration a Senate bill to be entitled an act to incorporate the Mechanics' & Traders' Bank of Georgia, and recommend that said bill be amended by striking out all of the eighth section thereof, after the word "liable," in the seventeenth line, and inserting in lieu of so much of said section as is stricken out, the following language, to-wit: "For the ultimate payment of the liabilities of said bank in proportion to the number of shares held by such stockholder;" and that the bill, when so amended, do pass.

The committee have also had under consideration a bill to be entitled an act to incorporate the Peoples' Savings Bank of Newnan, and recommend the first

section of said bill be amended by adding thereto the following proviso, to-wit: "*Provided also*, that nothing herein or therein contained be construed to give to said People's Savings Bank of Newnan, the right to take liens on crops to be raised;" and that said bill, when so amended, do pass.

The committee have also had under consideration a bill to be entitled an act to incorporate the Northern Bank of the State of Georgia, and recommend that said bill do pass.

JOSEPH B. CUMMING,  
*Chairman of Committee on Banks.*

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bill of the House of Representatives, with certain amendments, in which they ask the concurrence of the House of Representatives:

A bill to exempt firemen from jury duty

The following message was received from the Executive Department through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

His Excellency, the Governor, has approved and signed the following acts, to-wit:

An act to amend an act approved October 10th, 1868, entitled an act to incorporate the Memphis Branch Railroad Company, and to grant certain powers and privileges to the same, and for other purposes, and to legalize and make valid the organization of said company

Also, an act to authorize the revision of the jury box in the counties of Cherokee, Twiggs and Fulton.

Mr. Hoge offered a resolution requiring the Committee on Finance to inquire into a claim of Murphy and Rasberry for services in arresting and convicting J. W. Redmond, of Lumpkin county, which, without being read, was referred to the aforesaid committee.

On motion of Mr. Russell, the rules were suspended and a House bill to exempt firemen from jury duty was taken up, and the Senate amendments thereto concurred in.

The following bills were read the third time and lost:

A bill to restrict the operation of the several sections of Irwin's Revised Code from section 2333 to 2346, both inclusive, in the counties of Hart and Habersham.

A bill to require the owners of wild and unimproved lands in this State to return and pay taxes on the same in the county where said lands are situated.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bills, and I am instructed to transmit the same forthwith to the House of Representatives:

A bill to change the time of holding the Superior Courts of the Brunswick Judicial Circuit, and for other purposes.

Also, a bill to authorize the town council of Forsyth to issue bonds as currency, and for other purposes.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

I am directed by his Excellency the Governor to de-

liver to the House of Representatives, a communication in writing, with accompanying document.

On motion of Mr. Hoge, the rules were suspended, and a Senate bill to amend the law in relation to writs of *quo warranto* in the State of Georgia, was read the second time and committed.

A bill to repeal an act incorporating the town of Gainesville, under the name and style of the city of Gainesville, and to incorporate the same as a town, and for other purposes, was read the third time.

Mr. Simmons of Hall moved to strike out the fourteenth section.

Mr. Riley called the previous question, and the call was sustained.

The motion to strike out was put and lost.

The bill was then passed.

Mr. Simmons of Hall gave notice that he would move on to-morrow, to reconsider so much of the action of the House as relates to the loss of the motion to strike out the fourteenth section of said bill.

Mr. Hoge offered a resolution that in addition to the morning and afternoon sessions now required by the existing order of the House, an evening session from seven to nine o'clock shall hereafter be held, which was read and agreed to.

Mr. Phillips, chairman of the Committee on Privileges and Elections, submitted the following report:

*Mr. Speaker:*

The committee, to whom was referred the memorial of John D. Sims and Andrew J. Smith, contesting the right of Harrison J. Sargent and Samuel Smith to seats in the House of Representatives as members from Coweta county, report that we have examined the certified returns of the managers of the election, and their consolidated report shows that Harrison J. Sargent received 1,513 votes; Samuel Smith, 1,446 votes; John D. Sims received 1,194 votes, and Andrew

J. Smith received 1,174 votes; and your committee report further, that, upon an examination of the ballots, the fact was ascertained that 274 votes were cast for Sargent and Samuel Smith by persons who had not paid the poll tax required of them for the year 1869, and that Sims and Andrew J. Smith received twelve votes cast by persons who likewise had not paid such tax. When these alleged illegal votes are deducted, it leaves the legal votes of the several candidates as follows: for H. J. Sargent, 1,239 votes; for Samuel Smith, 1,172 votes; for John D. Sims, 1,182 votes, and for Andrew J. Smith, 1,162 votes, which state of the polls elects Sargent and Sims. If Sargent should be unseated because of the ineligibility alleged against him, it would leave Sims and Samuel Smith the Representatives from Coweta county. Your committee are of the opinion that the votes cast by persons who had not paid their poll tax for the year 1869 were illegal, and in support of that position, we submit, for the consideration of the House, the following points:

The act of March 18, 1869, to levy and collect a tax for the support of the government for the year 1869, and for other purposes, in the ninth item of its first section, declares that each and every male inhabitant of this State, on the first day of April, between the ages of twenty-one and sixty, shall pay a tax of one dollar for educational purposes. (See Laws of Georgia, 1869, p. 160.)

By resolution of the General Assembly, approved May 4, 1870, and declared to be in force by General Terry, the validity of the act of 1869 was recognized, and it was continued in full force until otherwise ordered by the General Assembly in 1870. The act of July 28, 1870, to set apart and secure the School Fund, makes it the duty of the Comptroller General to ascertain the exact amount due the Educational Fund up to the first of July, 1870.

Thus it will be seen that the poll tax was assessed by law, and required by law to be paid, and the par-



ties had an opportunity of paying it, and that the year 1869 was the year preceding the election at which they voted. Your committee also are of the opinion that these votes were cast in direct violation of the second section of the second article of the Constitution of this State, which places the citizen's right to vote upon the fact that he had paid all taxes which may have been required of him, and which he has had an opportunity of paying.

Your committee are also of the opinion that the act, approved October 25, 1870, is judicial and not legislative, and that it is unauthorized by the Constitution. It does not repeal any act or resolution whatever, nor does it propose to repeal anything. It simply states what are three provisions of the Constitution, and recites what the General Assembly did not do at its first session, and then decides and adjudges that all poll tax assessed for the years 1868, 1869 and 1870 is illegal and not warranted by the Constitution of the State. Your committee, with these points and statement of facts before them, which have not been submitted without due and impartial consideration, recommend, if the House decides that Harrison J. Sargent is ineligible to office, that John D. Sims be seated, and that Samuel Smith be permitted to retain his seat; but, on the other hand, if the House decides that Harrison J. Sargent is eligible, we then recommend that John D. Sims, who received the next highest number of legal votes, be seated in the place of Samuel Smith.

R. W. PHILLIPS, *Chairman*.

Mr. Phillips, chairman of the Committee on Privileges and Elections, also submitted the following report:

*Mr Speaker:*

The memorial of James Houston, of the county of Glynn, being referred to your committee, contesting a seat with James Blue, the present incumbent, has been

under consideration, and we respectfully submit that, after carefully investigating the matter, your committee beg to report that the consolidated returns of the managers show that Mr. Blue received 671 votes and Mr. Houston 614, which makes the majority of Mr. Blue 57. Upon further investigation, the fact was ascertained that 15 votes were cast for Mr. Blue by persons who did not reside in the county, and 9 votes were cast for him by minors, making 24; and that there were cast during the election 221 votes, also for him, by persons who had not paid their taxes during the year 1869, making in the aggregate 245 illegal votes cast for Mr. Blue, which reduces his vote to 426. It was further ascertained that Mr. Houston received 3 votes cast by minors and 23 votes cast by persons who had not paid their taxes for the year 1869, making 26 illegal votes in the aggregate, which reduces the number of votes cast for Mr. Houston to 588, and which, on balance, gives him a majority of 162 legal votes over his opponent.

Your committee, therefore, having presented an opinion in the contested election case from Coweta county in regard to votes cast by persons who had not paid their taxes, do not think that it is necessary to do so again in this report. We therefore recommend that Mr. Houston, the contestant, who, in the opinion of your committee, has been legally elected, be seated in the place of James Blue, the present incumbent from the county of Glynn.

R. W. PHILLIPS, *Chairman*.

On motion of Mr. Phillips, the rules were suspended, and the foregoing report was taken up.

The question being upon adopting the report, Mr. Russell called the previous question, and the call was sustained.

Mr. Clower moved to lay the report on the table, and the motion was lost.

After some discussion, Mr. Clower moved to postpone action on the report indefinitely

The motion did not prevail.

Mr. McMillan moved to recommit the matter.

The Speaker ruled that the previous question having been ordered, the motion to recommit was out of order.

Mr. McMillan moved to suspend the rules for the purpose of making his motion to recommit.

The Speaker ruled the motion to suspend the rules out of order.

Mr. Simmons of Gwinnett appealed from the decision of the chair.

The ruling of the Speaker was sustained by the House.

The main question was put, and the report of the committee not adopted.

Mr. McMillan gave notice that he would move a reconsideration of this action of the House to-morrow.

A bill to create and organize a new Judicial Circuit out of the counties composing the Southern, Macon and Middle Circuits, to provide for the appointment of a Judge thereof, and for other purposes, was read the third time.

Mr. Clements moved to strike out the county of Montgomery

The motion prevailed, and the bill thus amended was then passed.

A bill to add the counties of Clinch, Echols and Lowndes, of the Allapaha Circuit to the Southern Judicial Circuit, and to fix the time of holding the Superior Courts in the last named circuit, was read the third time and laid on the table.

On motion of Mr. Clower, the rules were suspended, and a Senate bill to authorize the town council of Forsyth to issue bonds as currency, and for other purposes, was read the first time.

A bill to refund to Jackson, Lawton & Bassinger a certain amount of money, etc., was read the third time.

The House went into Committee of the Whole for the consideration of the same.

Mr. Jackson, chairman of the Committee of the Whole, reported the bill back to the House, with certain amendments.

The report was agreed to, and the bill, as thereby amended, was passed.

The House took a recess until 7 o'clock P. M.

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NIGHT SESSION, 7 o'clock P. M.

The House reassembled.

The following bills were read the third time and passed :

A bill to correct and amend an act to incorporate the Atlanta & Lookout Railroad Company    Approved October 24, 1870.

A bill to change the time of holding the Superior Courts of the county of Gordon.    Passed with amendments.

A bill to incorporate the Atlantic, Fort Valley & Memphis Railroad Company

A bill to establish a board of Commissioners of Roads and Revenue in the county of Habersham.    Amended by including the county of Lowndes.

A bill to consolidate the Chattooga Coal & Iron and Trion Railway Companies.

A bill to extend the right of dissolving garnishments to persons other than defendants.

A bill to amend an act to incorporate the town of Clarkesville, in the county of Habersham, and for other purposes.    Passed with amendment.

A bill to require Justices of the Peace and Notaries Public *ex-officio* Justices of the Peace, to keep dockets and exhibit them to the grand juries of their respective counties.

A bill to amend an act to incorporate the Grand Lodge Knights of Jericho, of the State of Georgia.

A bill to amend an act incorporating the town of Morgan, in the county of Calhoun.

A bill to prevent parties from driving or carrying away stock from their range, and for other purposes.

A bill to amend an act to incorporate the proprietors of the Augusta Canal, and to confirm certain ordinances of the City Council of Augusta, and for other purposes.

A bill to amend an act, assented to 31st December, 1838, to establish and incorporate a Medical College in the city of Savannah, and for other purposes.

A bill to amend an act to incorporate the town of Montezuma, in the county of Macon.

A bill to incorporate the Georgia Diamond Mining Company. Passed as a substitute, recommended by the Committee on Corporations, for bill No. 305, of the same title.

A bill to alter and amend an act to amend and alter the charter of the city of Columbus. Approved March 8, 1866.

A bill to provide for the payment of a portion of the fund raised for school purposes to the city of Columbus. Passed as amended by report of the Finance Committee.

The following bills were read the second time and ordered to be engrossed :

A bill to appropriate money to pay the heirs of the late Colonel Mordecai Sheftall, of Savannah.

A bill to amend an act to incorporate the town of Blakely

A bill to levy and collect a tax for the support of the Government for the year 1872 was read the second time and referred to the Committee on Finance.

Mr. Johnson of Spalding introduced a bill to protect the people of the State of Georgia from the payment of either interest or principal of any bonds issued

by any railroad company and illegally or fraudulently indorsed by the State, and to provide for the registration of bonds, and for other purposes, which was read the first time.

A bill to exempt from jury duty in the county of Chatham all regularly licensed physicians who are actually engaged in the practice of their profession, was read the third time.

Mr. Etheridge moved to amend by striking out the words "the county of Chatham," so as to make the bill general.

Mr. Bryan moved to insert the word "dentists."

The motion of Mr. Bryan was lost; that of Mr. Etheridge prevailed, and the bill was passed as amended.

A bill to change the time of holding the Superior Courts of the Flint Judicial Circuit, was read the third time.

Mr. Hall of Upson offered as a substitute a Senate bill of the same title, to which the Committee on the Judiciary had recommended certain amendments. The substitute was adopted.

Mr. Johnson of Spalding moved to except from the provisions of the bill the county of Spalding. The motion prevailed, and the bill as thus amended was passed.

A bill to authorize Sheriffs and other levying officers to collect advertising fee and costs of keeping property in their possession, before accepting affidavits of illegality and claims, was read the third time.

Mr. Bush moved to amend by providing that said bill should apply and be of force in the county of Miller only.

The motion prevailed, and the bill as thus amended was passed.

The following bills was read the third time and lost :

A bill to incorporate the Stone Mountain, Lawrenceville & Athens Railroad Company.

A bill to amend an act to establish a system of public instruction, so far as relates to the county of Lumpkin.

Mr. McMillan gave notice that he would move to-morrow to reconsider the loss of the last mentioned bill.

A bill to regulate lost time of labors.

A bill to authorize parties in certain cases to file bills of exceptions.

A bill to amend an act entitled an act to amend and secure the proceeds, profits or rents arising from homesteads in this State, was read the third time, and laid on the table.

Leave of absence was granted Mr. Graham.

The House, on motion, adjourned until 9 o'clock A. M. to-morrow

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ATLANTA, GEORGIA,  
Tuesday, December 5, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Heidt.

The Journal of yesterday was read and approved.

Mr. W. D. Anderson moved to reconsider so much of the Journal as relates to the passage of a bill to incorporate the Atlanta & Tennessee Railroad Company.

The motion did not prevail.

Mr. Simmons of Hall moved to reconsider so much of the Journal as relates to the passage of a bill to repeal an act incorporating the town of Gainesville, under the name and style of the city of Gainesville, and to incorporate the same as a town, and for other purposes.

Mr. Simmons of Hall called the previous question, which was sustained.

The motion to reconsider prevailed.

Mr. Hunter moved to reconsider so much of the Journal as relates to the passage of a bill to create and organize a new Judicial Circuit out of the counties composing the Southern, Macon and Middle Circuits, and for other purposes.

The motion prevailed, and, on motion of Mr. Hunter, the bill was laid on the table.

Mr. McMillan moved to reconsider so much of the Journal as relates to the loss of a bill to amend an act to establish a system of public instruction, so far as relates to the county of Lumpkin. The motion prevailed.

Mr. McMillan moved to reconsider so much of the Journal as relates to the refusal of the House to adopt the report of the Committee on Privileges and Elections, respecting the Glynn county contested election.

Mr. Griffin of Houston made the point of order that the House having refused to adopt the report of the committee, the right of the present incumbent to the seat was thereby fixed, and instanced the case of the Spalding county contested election, where the contestant was allowed to qualify and take his seat as soon as the report of the committee, recommending the same, was adopted.

The Speaker ruled the point not well taken, on the ground that in the case mentioned, the contestant, whom the report of the committee had declared entitled to the seat, was, upon the adoption of said report, allowed to take the oath, as a matter of right; but, in the present case, the member whose seat was contested had occupied the same during the session, and his rights could not be prejudiced by a reconsideration, which looked to further investigation of the same.

Mr. Davis of Clarke made the point of order that the House having refused to adopt the report of the committee, there was nothing before the House, and, therefore, the motion to reconsider could not be entertained.

The Speaker ruled the point not well taken.



Mr. Richards called the previous question, and the call was sustained.

The question being the motion to reconsider, the yeas and nays were called for.

Those voting in the affirmative are Messrs.—

Anderson, Wm. P.,	Fain,	Russell,
Baker of Pike,	Flynt,	Sellers,
Barksdale,	Glover,	Slaton,
Beaseley,	Head,	Smith of Oglethorpe,
Berrien,	Jenkins,	Spence,
Bowie,	Johnson of Spalding,	Stovall,
Bush,	McMillan,	Taylor,
Cloud,	Pentecost,	Watters,
Cox,	Phillips,	Woodward,
Dell,	Pierce,	Wynn.
Edwards,		

Those voting in the negative are Messrs.—

Allred,	Davis of Clarke,	Jackson,
Anderson, Wm. D.,	Davis of Newton,	Johnson of Clay,
Atkinson,	Dukes,	Joiner,
Bacon,	Emerson,	Jones of Gwinnett,
Baker of Bryan,	Ethridge,	Kelly,
Barron,	Farmer,	Kennedy,
Bateman,	Field,	Killian,
Battle,	Floyd,	Knowles,
Braddy,	Franklin,	Lang,
Brewton of Tatnall,	Goodman,	Lewis,
Bruton of Decatur,	Gray,	Lipsey,
Brown,	Griffin of Houston,	Mann,
Bryan,	Griffin of Twiggs,	Martin,
Bunn,	Guerry,	Mattox,
Campbell,	Guyton,	McConnell,
Carlton,	Hall of Meriwether,	McNeal,
Cato,	Hall of Upson,	Meadows,
Chastain,	Hammond,	Moreland,
Clark of Richmond,	Hancock,	Morris,
Clark of Troup,	Harvey,	Morrison,
Cleghorn,	Heidt,	Murphy of Burke,
Clements,	Hillyer,	Murphy of Harris,
Clower,	Hoge,	Netherland,
Cody,	Howell,	Nutting,
Colby,	Hooks,	Oliver,
Collins,	Hudson,	O'Neal,
Converse,	Hughes,	Ormond,
Crittenden,	Hunter,	Palmer,

Patillo,	Richardson,	Tarver,
Paulk,	Riley,	Trammell,
Paxton,	Rountree,	West,
Payne,	Rutherford,	Whatley,
Peeples,	Sargent,	Williams,
Pou,	Simmons of Gwinnett,	Wilson,
Putney,	Simmons of Houston,	Wofford of Banks,
Reid,	Smith of Coweta,	Wofford of Bartow,
Richards,	Summerlin,	Wood.

Yeas, 81. Nays, 111.

So the motion to reconsider did not prevail.

The following message was received from the Senate, through Mr. Hall, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bill, to-wit:

A bill to create a county court for each county in this State, except such counties as are therein excepted, and for other purposes.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit:

A bill to be entitled an act to exempt firemen from jury duty

H. L. W. CRAIG,  
*Chairman Enrolling Committee.*

Mr. Davis of Newton, chairman of the Committee on Agriculture and Manufactures, to whom was recommended the bill to prohibit and make penal the sale or purchase of agricultural products between the hours of sunset and sunrise, made the following report:

*Mr. Speaker:*

The Committee on Agriculture and Manufactures, to

whom was recommitted the bill to prohibit and make penal the sale or purchase of agricultural products, etc., with the amendments thereto, have had the same under consideration, and recommend that the bill do pass, with the amendments previously reported by the committee.

J. B. DAVIS, *Chairman*.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker:*

His Excellency the Governor has approved and signed the following act, to-wit:

An act to change the line between the counties of McIntosh and Liberty.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker:*

The Committee on the Judiciary have had under consideration a number of bills referred thereto, and recommend as follows:

That a bill to be entitled an act to repeal and alter the punishment prescribed in the following sections of the Code of Georgia, viz: 4276, 4278, 4279, 4290, 4303, 4307, 4335, 4345, 4348, 4349, 4350, 4351, 4353, 4368, 4372, 4373, 4403, 4408, 4411, and 4412, do not pass.

That a bill to be entitled an act to enforce the fifth article, twelfth section, second paragraph of the Constitution of 1868, do pass.

That a bill to be entitled an act to require the several Judges of this State to give specially in charge to the grand juries, sections 4489, 4490 and 4491 of the Code, do not pass.

That a bill to be entitled an act to regulate the practice of the courts on trials before juries in certain particulars, do pass.

That a bill to be entitled an act to provide the mode of adjudicating the rights of parties, under article seven of the Constitution of this State, do pass.

That a bill to be entitled an act to provide for the time of holding the Superior Courts of the Eastern Circuit, do pass.

That a bill to be entitled an act to repeal section 121 of Irwin's Revised Code, do pass.

That a bill to be entitled an act to amend section 4251 of Irwin's Revised Code, do pass.

That a bill to be entitled an act to prescribe for suits against joint obligors, etc., in the City Court of Savannah, do pass.

That a bill to be entitled an act to provide for taking bonds of public officers and qualifying them, do pass.

That a bill to be entitled an act to impose certain duties and confer certain powers upon the Ordinary of Union county, with reference to the opening of a new road in said county, do pass.

That a bill to be entitled an act to legalize the subscription of Indian Springs to the Griffin, Monticello & Madison Railroad Company, do pass.

That a bill to be entitled an act to make slander a criminal offense, do not pass.

That a bill to be entitled an act to relieve joint debtors by judgment, do pass.

That a bill to be entitled an act to prescribe the manner of incorporating documentary evidence in bills of exception, and for other purposes, do not pass.

That a bill to be entitled an act to amend paragraph—in section 2741 of the Code of Georgia, do not pass.

That a bill to be entitled an act to make certified extracts from the books and records of railroad companies and chartered banks evidence in certain cases, do not pass.

That a bill to be entitled an act to repeal an act entitled an act to provide for an election, and to alter and amend the laws in relation to the holding of elections, assented to October 3, 1870, do not pass.

That a bill to be entitled an act to create a Board of Roads and Revenue in the county of Dawson, do pass.

That a bill to be entitled an act to provide for the mode of filling vacancies in the office of Ordinary, which may now, or hereafter, exist, in the several counties of this State, do pass.

That a bill to be entitled an act to alter an amend section 4779 of the Revised Code, do pass.

For a bill to be entitled an act to revive and declare of full force and effect an act entitled an act to organize a criminal court for each county in this State, assented to October 7th, 1870, and the several acts amendatory thereof, so far as relates to the county of Chattooga, and to legalize certain proceedings thereunder, the committee propose a substitute, and recommend that it do pass.

E. F. HOGG, *Chairman.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bill of the House of Representatives :

A bill to amend section 178 of the Revised Code.

A bill to secure to educational purposes the fund now due to the Department of Education, to fund the same, and for other purposes, which was tabled on yesterday, was, on motion of Mr. Jackson, taken up.

Mr. Jackson moved to fill the blank in the first section with the sum of \$327,084, which motion prevailed.

Mr. Dell moved to amend, by adding to the third section the following words, "provided that this act shall not be construed to authorize the issue of any other educational bonds under existing laws, but any other issue of educational bonds under such laws is hereby forbidden."

The motion prevailed, and the bill, as thus amended, was then passed.

Mr. Hoge offered a resolution, that the use of this hall be tendered to the Democratic Convention that assembles in this city to-morrow, and that when the House adjourns this evening, it adjourns to meet at 9 o'clock, A. M., Thursday

Mr. Bacon offered, as a substitute, that on Wednesday, December 6th, this House will take a recess from 11½ o'clock A. M., to 7 o'clock P. M., and that during said recess the use of this hall be tendered to the Democratic Convention, which will meet in this city, to nominate a candidate for the office of Governor.

The substitute was agreed to.

Mr. Fain, chairman of the Committee on New Counties and County Lines, submitted the following report:

*Mr. Speaker:*

The Committee on New Counties and County Lines have had under consideration the several following bills, to-wit:

A bill to be entitled an act to change the boundary line of Wilkes and Taliaferro counties, so as to include the plantation of Mrs. Sarah A. Stephens, in the county of Wilkes, which they recommend do pass.

A bill to be entitled an act to authorize Douglas county to take stock in the Georgia Western Railroad, which they recommend do not pass.

A bill to be entitled an act to change the line between the counties of Wilcox and Pulaski, and for other purposes, which they return without recommendation.

A bill to be entitled an act to repeal an act entitled an act to change the county site of Telfair county to a point on the Macon & Brunswick Railroad, as near the center of the county as possible, which they return without recommendation.

A bill to be entitled an act to lay out and form a new

county by the division of Jefferson county, and to organize the same, which they recommend do pass.

J. C. FAIN, *Chairman*.

A bill to prohibit and make penal the sale or purchase of agricultural products between the hours of sunset and sunrise, was taken up.

Mr. Johnson of Spalding moved to lay the bill, with amendments, on the table.

Mr. Hunter called for the yeas and nays, and the call was sustained.

Those voting in the affirmative are Messrs.—

Allred,	Converse,	Morris,
Anderson, Wm. D,	Davis of Clarke,	Morrison,
Anderson, Wm. P.	Fain,	Netherland,
Atkinson,	Floyd,	Oliver,
Bacon,	Flynt,	O'Neal,
Baker of Bryan,	Franklin,	Ormond,
Ballanger,	Goldsmith,	Palmer,
Barksdale,	Goodman,	Paxton,
Barron,	Gray,	Pentecost,
Battle,	Griffin of Houston,	Phillips,
Beaseley,	Griffin of Twiggs,	Pou,
Bell,	Hall of Upson,	Putney,
Blue,	Hancock,	Rawls,
Braddy,	Head,	Reid,
Bruton of Decatur,	Hillyer,	Richards,
Brown,	Howell,	Richardson,
Bunn,	Hooks,	Riley,
Bush,	Johnson of Spalding,	Sellers,
Butts,	Joiner,	Simmons of Hall,
Campbell,	Killian,	Simmons of Houston,
Christian,	Knowles,	Smith of Coweta,
Cleghorn,	Lewis,	Trammell,
Clements,	Mansfield,	West,
Cloud,	Mattox,	Williams,
Clower,	McConnell,	Wofford of Banks,
Colby,	Meadows,	Wofford of Bartow.

Those voting in the negative are Messrs.—

Baker of Pike,	Bryan,	Cox,
Bateman,	Carlton,	Crittenden,
Berrien,	Cato,	Cumming,
Bowie,	Clark of Richmond,	Davis of Newton,

Dell,	Jackson,	Renfro,
Edwards,	Jenkins,	Russell,
Etheridge,	Jones of Gwinnett,	Rutherford,
Farmer,	Kelly,	Simmons of Gwinnett,
Glover,	Kennedy,	Slaton,
Guerry,	Lang,	Smith of Oglethorpe,
Guyton,	Mann,	Snead,
Hammond,	Martin,	Stovall,
Harvey,	McMillan,	Tarver,
Heidt,	McNeal,	Taylor,
Hoge,	Moreland,	Watters,
Hudson,	Murphy of Burke,	Whatley,
Hughes,	Peeples,	Woodward,
Hunter,	Pierce,	Wynn.

Yeas, 78. Nays, 55.

So the motion to lay on the table prevailed.

Mr. Hunter gave notice that he would move to reconsider to-morrow this action of the House.

Mr. Craig, Chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker :*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit :

A bill to be entitled an act to alter and amend section 178 of Irwin's Revised Code.

H. L. W CRAIG,  
*Chairman Enrolling Committee.*

Mr. Cumming, Chairman of the Committee on Public Buildings, submitted the following report, to-wit :

*Mr Speaker :*

The Committee on Public Buildings, in pursuance of a resolution, instructing the committee to examine the capitol building, to ascertain its condition as to safety, and to employ an architect to aid the committee, has the honor to report that the committee em-



ployed Mr. David B. Woodruff, and, assisted by him, made the examination. The committee beg leave to submit the written statement of Mr. Woodruff as to the condition of the building, as a part of this report.

JOSEPH B. CUMMING,  
*Chairman of Committee on Public Buildings.*

The report of Mr. Woodruff was read.

The following message was received from the Executive Department through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker :*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying document.

A bill to incorporate the Merchants' & Mechanics' Savings Bank of Columbus, Georgia, was read the third time.

A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Anderson, Wm. D.	Campbell,	Etheridge,
Anderson, Wm. P.	Cato,	Fain,
Baker of Pike,	Clark of Richmond,	Farmer,
Barron,	Cleghorn,	Field,
Battle,	Cloud,	Floyd,
Beaseley,	Clower,	Flynt,
Bell,	Cody,	Franklin,
Berrien,	Colby,	Glover,
Blue,	Collins,	Goldsmith,
Bowie,	Cox,	Goodman,
Braddy,	Craig,	Griffin of Twiggs,
Brewton of Tatnall,	Cumming,	Guerry,
Bruton of Decatur,	Davis of Clarke,	Guyton,
Brown,	Davis of Newton,	Hall of Meriwether,
Bryan,	Dukes,	Hall of Upson,
Bunn,	Edwards,	Hancock,
Bush,	Emerson,	Harvey,

Head,	Mattox,	Richards,
Heidt,	McConnell,	Richardson,
Hillyer,	McMillan,	Riley,
Hoge,	Meadows,	Roundtree,
Howell,	Moreland,	Rutherford,
Hooks,	Morrison,	Sellers,
Hudson,	Murphy of Burke,	Simmons of Gwinnett,
Hughes,	Netherland,	Simmons of Hall.
Hunter,	Nutting,	Smith of Coweta,
Jackson,	Oliver,	Smith of Oglethorpe,
Jenkins,	O'Neal,	Snead,
Johnson of Spalding,	Ormond,	Spence,
Joiner,	Palmer,	Stovall,
Jones of Gwinnett,	Paulk,	Summerlin,
Jones of Hart,	Paxton,	Tarver,
Kelly,	Payne,	Taylor,
Kennedy,	Peeples,	Trammell,
Killian,	Pentecost,	Watters,
Knowles,	Phillips,	West,
Lang,	Pierce,	Whatley,
Lewis,	Pou,	Wofford of Banks,
Mansfield,	Rawls,	Wood,
Martin,	Reid,	Woodward.

Those voting in the negative are Messrs—

None.

Yeas, 115. Nays, 0.

So the bill was passed by the requisite majority.

On motion of Mr. Pou, it was ordered to be transmitted to the Senate forthwith.

Mr. Phillips, chairman of the Committee on Privileges and Elections, submitted the following report:

*Mr. Speaker :*

Your committee have had under consideration a resolution directing us to inquire into the question of the residence of Henry Farmer, Representative from the county of Baker, and after carefully considering the evidence, which is submitted with this report, and the law, we give it as our opinion that the said Farmer is a citizen of the county of Baker, and entitled to his seat.

R. W. PHILLIPS, *Chairman.*

Mr. Phillips moved to take up the report.

Mr. Simmons of Gwinnett moved to lay the report on the table, and the motion prevailed.

Mr. Pierce offered a resolution requesting the present State School Commissioner to resign his office.

The yeas and nays were called for, and the call sustained.

Those voting in the affirmative are Messrs—

Anderson, Wm. D.,	Glover,	Netherland,
Anderson, Wm. P.,	Goldsmith,	Palmer,
Bacon,	Goodman,	Paulk,
Baker of Bryan,	Gray,	Paxton,
Baker of Pike,	Griffin of Twiggs,	Payne,
Ballanger,	Guerry,	Peeples,
Barksdale,	Guyton,	Pentecost,
Barron,	Hammond,	Phillips,
Bateman,	Hancock,	Pierce,
Beaseley,	Harvey,	Pou,
Berrien,	Head,	Rawls,
Bowie,	Heidt,	Reid,
Braddy,	Hoge,	Renfroe,
Bryan,	Howell,	Richards,
Bunn,	Hooks,	Riley,
Bush,	Hudson,	Roundtree,
Butts,	Hughes,	Russell,
Carlton,	Hunter,	Rutherford,
Cato,	Jackson,	Sellers,
Chastain,	Jenkins,	Simmons of Gwinnett,
Clark of Richmond,	Johnson of Clay,	Simmons of Hall,
Clark of Trousdale,	Johnson of Spalding,	Slaton,
Cleghorn,	Jones of Gwinnett,	Smith of Oglethorpe,
Clements,	Jones of Hart,	Snead,
Cloud,	Kelly,	Spence,
Cody,	Kennedy,	Stovall,
Collins,	Killian,	Summerlin,
Converse,	Knowles,	Tarver,
Cox,	Lang,	Taylor,
Craig,	Lipsev,	Trammell,
Crittenden,	Mann,	Watters,
Cumming,	Mattox,	West,
Davis of Newton,	McConnell,	Whatley,
Dell,	McMillan,	Wilson,
Edwards,	McNeal,	Wofford of Banks,
Etheridge,	Meadows,	Wofford of Bartow,
Fain,	Morris,	Wood,
Farmer,	Morrison,	Woodward.
Field,	Murphy of Harris,	Wynn.
Flynt,		

Those voting in the negative are Messrs—

Allred,	Davis of Clarke,	Oliver,
Atkinson,	Dukes,	O'Neal,
Battle,	Floyd,	Ormond,
Blue,	Franklin,	Putney,
Bruton of Decatur,	Griffin of Houston,	Richardson,
Brown,	Hall of Meriwether,	Simmons of Houston,
Campbell,	Hillyer,	Smith of Coweta,
Clower,	Joiner,	Williams.
Colby,	Lewis,	

Yeas, 115. Nays, 26.

So the resolution was agreed to.

A bill to promote the propagation of shad fish in the Savannah river, and to impose a penalty for fishing for said fish in said river on Sunday or Monday, was read the third time.

Mr. Rawls moved to amend by striking out the word "Monday."

The previous question was called, and the call sustained.

The motion to amend was lost.

On the passage of the bill, Mr. Rawls called for the yeas and nays, and the call was not sustained.

The bill was then passed.

Mr. Rawls gave notice that he would move to reconsider the passage of the bill, on to-morrow.

The following bills were read the third time, and passed:

A bill to incorporate the Macon & Chattahoochee Railroad Company, and to confer upon the same certain rights, powers and privileges.

A bill to amend the charter of the Americus & Isabella Railroad Company, and for other purposes.

The House took a recess until 3 o'clock P. M.

AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

The following bills were read the third time and passed:

A bill to construct a railroad from Elberton, Georgia, to intersect with the New York and New Orleans Air-Line Railroad, by the most practicable route, and for other purposes.

A bill to authorize the corporate authorities of the city of Dalton to purchase and donate lands to the Selma, Rome & Dalton Railroad Company.

A bill to change the time of holding the Superior Courts in the county of Worth.

A bill more effectually to protect religious worship in the State of Georgia. Passed, as amended by the Committee on the Judiciary.

A bill to incorporate the town of Tilton, in the county of Whitfield.

A bill to require the Tax Collectors of the county of Ware to receive county scrip for taxes due the county.

A bill to extend the jurisdiction of the City Court of Augusta, and for other purposes. Passed with an amendment, as a substitute recommended by the committee on the Judiciary for bill No. 269.

A bill to authorize the Ordinary of Randolph county to issue bonds of said county for the building of a new court-house, and for other purposes.

A bill to authorize Calloway Campbell, of Murray county, to erect a mill-dam across the Connasauga river, on his own land.

A bill for the relief of B. Chancey, Tax Collector of Early county for the year 1869.

A bill to repeal an act to consolidate the offices of Tax Receiver and Collector for the county of Dade.

A bill to provide for the payment of grand and petit jurors of the county of Fayette, was read the third time and indefinitely postponed.

The following message was received from the Exec-

utive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr. Speaker:*

His Excellency the Governor has approved and signed the following act, to-wit:

An act to exempt firemen from jury duty

Also, a resolution providing for the arrest of certain parties.

A bill to prevent any person from hounding or killing deer in the counties of Talbot, Marion and Taylor, in the months of May, June, July and August, was read the third time.

Mr. Guyton moved to amend by adding the county of Laurens.

The motion prevailed, and bill the as thus amended, was passed.

A bill to amend the usury laws of this State was read the third time.

Mr. W D. Anderson made the point of order that the bill could not now be entertained by the House, a Senate bill of the same nature having been indefinitely postponed.

The Speaker ruled that there were distinct differences in the two bills, and the point was not well taken.

Mr. Hunter moved to disagree to the report of the Committee on the Judiciary, which was adverse to the passage of the bill.

Mr. Fain called the previous question, and the call was sustained.

The report of the committee was disagreed to.

Mr. W D. Anderson moved to lay the bill on the table, and the motion was lost.

Mr. Bryan moved to adjourn.

The Speaker ruled that the bill in question being before the House, and action thereon pending, the motion to adjourn was out of order.

Upon the passage of the bill, Mr. W D. Anderson called for the yeas and nays, and the call was sustained.

Those voting in the affirmative are Messrs.—

Anderson, Wm. P.	Goldsmith,	McConnell,
Bacon,	Goodman,	McMillan,
Baker of Bryan,	Graham,	McNeal,
Barron,	Gray,	Moreland,
Battle,	Griffin of Houston,	Nutting,
Beaseley,	Guerry,	Ormond,
Bell,	Hall of Upson,	Patillo,
Blue,	Hammond,	Pentecost,
Bowie,	Hancock,	Pierce,
Braddy,	Head,	Putney,
Brown,	Heidt,	Renfroe,
Bush,	Hillyer,	Richards,
Cato,	Hoge,	Richardson,
Clark of Richmond,	Howell,	Roundtree,
Cloud,	Hooks,	Rutherford,
Clover,	Hughes,	Simmons of Gwinnett,
Cody,	Hunter,	Simmons of Houston,
Craig,	Jackson,	Slaton,
Crittenden,	Jenkins,	Smith of Coweta,
Cumming,	Joiner,	Snead,
Davis of Clarke,	Jones of Gwinnett,	Spence,
Dell,	Kelly,	Stovall,
Dukes,	Kennedy,	Summerlin,
Edwards,	Killian,	Taylor,
Emerson,	Lang,	Wilson,
Fain,	Lewis,	Wofford of Bartow,
Farmer,	Lipsev,	Woodward,
Floyd,	Mansfield,	Wynn.
Flynt,		

Those voting in the negative are Messrs.—

Allred.	Field,	Palmer,
Anderson, Wm. D.	Franklin,	Paulk,
Atkinson,	Glover,	Paxton,
Baker of Pike,	Griffin of Twiggs,	Pou,
Ballanger,	Guyton,	Rawles,
Barksdale,	Hall of Meriwether,	Reid,
Bateman,	Hudson,	Riley,
Berrien,	Johnson of Clay,	Russell,
Brewton of Tatnall,	Johnson of Spalding,	Simmons of Hall,
Bruton of Decatur,	Knowles,	Tarver,
Bryan,	Mann,	Trammell,
Campbell,	Martin,	Watters,
Chastain,	Murphy of Burke,	West,
Cleghorn,	Murphy of Harris,	Williams,
Colby,	Oliver,	Wofford of Banks,
Cox,	O'Neal,	Wood.
Davis of Newton,		

Yeas 85. Nays 49.

So the bill was passed.

Mr. Simmons of Gwinnett moved to transmit to the Senate forthwith.

The motion did not prevail.

The following bills were read the third time and laid on the table:

A bill to regulate the system of farming out the penitentiary convicts, and for other purposes.

A bill to lay out a new county from the counties of Coweta, Fayette and Meriwether.

A bill to protect the people of the State of Georgia from the payment of either principal or interest of any bonds issued by any railroad company, and illegally or fraudulently indorsed by the State, and to provide for the registration of bonds, and for other purposes, was read the second time and referred to the Committee on Finance.

The following bills were read the third time and lost:

A bill to authorize the citizens of Thomasville to elect certain officers.

A bill to incorporate the Georgia Industrial Agency, and for other purposes.

A bill to establish a system for working the public roads.

A bill to authorize the sale of personal property at any place within the limits of Milton county.

A bill to allow persons to make a return of their taxable property to the Clerk of the Superior Court in certain cases, and for other purposes.

A bill to alter and amend section 2850 of Irwin's Revised Code.

A bill to alter and amend section 689 of the Code.

A bill to require all declarations and defenses in the Superior Courts of this State to be complete as filed at the first term, and for other purposes.

A bill to appropriate one hundred and fifty-seven



dollars and thirty-five cents for the relief of Charles Latimer.

A bill to relieve Mary A. Edmondson from taxation.

A bill to revise the jury box of Fayette county

A bill to regulate the wages of labor in certain cases in the county of Clarke.

A bill to incorporate the College of Pharmacy and Health, in the city of Macon, and for other purposes.

A bill to authorize Nathan Chapman to exhibit slight of hand free of taxes.

A bill to make the compensation of grand, tales and petit jurors, in the counties of Taylor and Chatahoochee, two dollars per day.

A bill for the protection of the clerks of the Superior Courts and Sheriffs of this State, and for other purposes.

The House, on motion, took a recess until 7 o'clock P. M.

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NIGHT SESSION, 7 o'clock P. M.

The House reassembled.

The following bills were read the third time and passed :

A bill to incorporate the town of Dublin, in Laurens county, and to appoint commissioners for the same. Passed, as amended by report of the Committee on Corporations.

A bill to regulate and fix the pay of grand and traverse jurors, in the county of Crawford.

A bill to change the line between the counties of Catoosa and Walker.

A bill to regulate the pay of jurors in the county of Clayton. Amended, by striking out Clayton and inserting Newton, and passed as thus amended.

A bill to reduce the bond of the Sheriff of Banks county.

A bill to change the line between Warren and McDuffie counties.

Mr. Stovall gave notice that he would move on tomorrow to reconsider the passage of the last mentioned bill.

A bill to alter and amend the road laws of this State so far as relates to the county of Bibb, and to authorize and require the Ordinary of said county to levy and collect a tax for road purposes. Passed as amended.

On motion of Mr. Dell, the rules were suspended, and the following Senate bills were read the first time:

A bill to create a county court in each county of this State, except such counties as are excepted by the provisions of this act.

A bill to authorize the local authorities of Chatham county to change or abolish the road leading from the Isle of Hope to the main road on Skidaway Island.

A bill to change the line between the counties of Greene and Morgan.

A bill to change the time of holding the Superior Courts of the Brunswick Circuit, and the county of Towns in the Blue Ridge Circuit, and to attach the county of McIntosh to the Eastern Circuit.

A bill to incorporate the Hawkinsville & Eufaula Railroad Company.

A bill to amend an act, assented to December 18, 1838, to incorporate a Medical College in the city of Savannah.

A bill to carry into effect the election for a Governor, to fill the unexpired term of Rufus B. Bullock.

A bill to repeal sections 4480, 4664, 4665, 4666 and 4667 of Irwin's Revised Code, being a substitute for bill No. 319, was read the third time.

Mr. Bryan moved to disagree to the report of the Committee on the Judiciary, which recommended that the bill do pass.

Mr. Dell called the previous question, and the call was sustained.

Mr. Bacon moved to lay the report of the committee on the table.

The Speaker *pro tem.* ruled that, under the operation of the call for the previous question, the motion was out of order.

Mr. McWhorter called for the yeas and nays on the motion of Mr. Bryan, and the call was sustained.

Those voting in the affirmative are Messrs.—

Allred,	Collins,	Hillyer,
Bacon,	Crittenden,	Howell,
Baker of Bryan,	Davis of Clarke,	Lewis,
Ballanger,	Dukes,	McConnell,
Barron,	Emerson,	McWhorter.
Bateman,	Etheridge,	Oliver,
Battle,	Floyd,	O'Neal,
Bell,	Glover,	Ormond,
Blue,	Goodman,	Payne,
Bowie,	Gray,	Putney,
Brewton of Tatnall,	Griffin of Houston,	Rawls,
Brown,	Guerry,	Richardson,
Bryan,	Hall of Meriwether,	Simmons of Houston,
Bunn,	Hall of Upson,	Smith of Coweta,
Cleghorn,	Hammond,	Spence,
Clower,	Hancock,	Wilson,
Cody,	Heidt,	Wood.

Those voting in the negative are Messrs.—

Anderson, Wm. P.,	Guyton,	Martin,
Baker of Pike,	Head,	McMillan,
Barksdale,	Hoge,	Meadows,
Beaseley,	Hooks,	Morrison,
Berrien,	Hudson,	Murphy of Burke,
Braddy,	Hughes,	Nutting,
Bush,	Hunter,	Palmer,
Carlton,	Jackson,	Paulk,
Cato,	Jenkins,	Pentecost,
Clark of Troup,	Johnson of Clay,	Pierce,
Cloud,	Johnson of Spalding,	Pou,
Converse,	Jones of Gwinnett,	Reid,
Cox,	Jones of Hart,	Renfroe,
Cumming,	Kelly,	Riley,
Davis of Newton,	Kennedy,	Roundtree,
Dell,	Killian,	Russell,
Edwards,	Knowles,	Rutherford,
Fain,	Lang,	Scott,
Field,	Mann,	Simmons of Gwinnett,
Graham,	Mansfield,	Slaton,

Snead,  
Stovall,  
Tarver,

Taylor,  
Trammell,  
Watters,

Whatley,  
Woodward,  
Wynn.

Yeas, 53. Nays, 69.

So the motion to disagree to the report of the committee did not prevail.

The bill was then passed.

Mr. O'Neal gave notice that he would move a reconsideration of this action of the House to-morrow.

The following bills were read the third time and laid on the table:

A bill to lay out and form a new county by the division of Jefferson county, and to organize the same.

A bill to require Tax Receivers to take with tax returns, the number of acres of land cultivated in different cereals.

A bill to alter and amend third paragraph of section 2448 of Irwin's Revised Code, was withdrawn by Mr. Pou, the author thereof.

The following bills were read the third time and lost:

A bill to prescribe who shall be jurors in certain cases in Baldwin county

A bill to regulate labor in the county of Baldwin.

A bill to provide more effectually for the payment of taxes due by employees.

The House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GEORGIA,  
Wednesday, December 6, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Jones.

The Journal of yesterday was read and approved.

Mr. Rawls moved to reconsider so much of the Journal as relates to the passage of a bill to promote the propagation of shad fish in the Savannah river, and to impose a penalty for fishing for said fish in said river on Sunday or Monday.

Mr. Snead moved to lay the motion to reconsider on the table, and the motion prevailed.

Mr. Bryan moved to reconsider so much of the Journal as relates to the passage of a bill to repeal sections 4480, 4664, 4665, 4666 and 4667 of Irwin's Revised Code.

On motion of Mr. Simmons of Gwinnett, the motion to reconsider was laid on the table.

Mr. Stovall moved to reconsider so much of the Journal as relates to the passage of a bill to change the line between Warren and McDuffie counties.

The motion to reconsider, on motion of Mr. Scott, was laid on the table.

Mr. Hunter moved to take from the table a bill to prohibit and make penal the sale of agricultural products between the hours of sunset and sunrise.

The motion did not prevail.

A bill to change the county site of Telfair county to a point on the Macon & Brunswick Railroad, was laid on the table.

A bill to regulate the pay of grand and petit jurors of Paulding county was read the third time, amended by inserting the counties of Pike and Clay, and passed.

A bill to change the line between the counties of Wilcox and Pulaski, and for other purposes, was read the third time and lost.

A bill to create a Board of Commissioners of Roads and Revenues in the county of Paulding was read the third time and passed.

A bill to authorize the payment of ten per cent. interest on one hundred bonds of one thousand dollars each by the Scofield Rolling Mill Company, was taken up, and the Senate amendment thereto concurred in.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bills :

A bill to carry into effect paragraph three, section five, article three of the Constitution of Georgia.

Also, a bill to repeal the act of 1831 requiring Justices of the Peace to act as road commissioners in Pulaski county, and for other purposes.

Also, a bill to extend the provisions of the eleventh section of an act approved February 23, 1850, in relation to Tax Receiver of Chatham county to the Tax Receiver and Collector of Fulton county.

Also, a bill to amend the charter of the Gate City Insurance Company of Atlanta, and to change its name.

Also, a bill to amend the act incorporating the Ocmulgee River Railroad Company, and acts amendatory thereto, and for other purposes.

Also, a bill to create a new judicial circuit out of the counties composing the Southern, Macon and Middle Circuits, and for other purposes.

Also, a Bill to authorize the Ordinary of Pulaski county to issue bonds to build a court-house.

Also, a bill to make penal the selling of personal property which has been mortgaged, and to provide for the punishment of the same.

Also, a bill to amend the attachment laws of the State of Georgia.

Also, a bill to change the time of holding the Superior Courts of the county of Jasper, and for other purposes.

Also, a bill to provide for the taking of testimony by written deposition, in cases not now allowed by law.

Also, a bill to incorporate the Flint River Manufacturing Company.

Also, a bill to incorporate the Waynman & Franklin Manufacturing Company

The Senate has also agreed to a resolution calling upon the Governor for information as to the indebtedness of the State for printing and other claims therein specified.

Mr. Davis of Newton, Chairman of the Committee on Agriculture and Manufactures, is instructed to make the following report, to-wit:

*Mr. Speaker :*

The Committee on Agriculture and Manufactures, to whom was referred a bill to be entitled an act to levy and collect a tax from the owners of dogs in this State, and to prescribe a penalty in case of failure or neglect to give in and pay said tax, and recommend that it do pass, as amended by the committee, to-wit: By striking out the first section of said act, and inserting the following in lieu thereof, to-wit:

*“Be it enacted by the General Assembly of the State of Georgia, That after exempting one dog to each head of a family in this State from taxation, that a tax of one dollar shall be levied and collected, as hereinafter prescribed, upon each and every other dog owned or claimed by each and every said head of a family in this State, or owned and claimed by any member of his or her family, not making separate tax returns.”*

JOHN B. DAVIS, *Chairman.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bill of the House of Representatives, with an amendment, in which they ask the concurrence of the House of Representatives, to-wit:

A bill to authorize the payment of ten per cent. in-

terest on certain bonds to be issued by the Scofield Rolling Mill Company.

Mr. Rawles, chairman of the Finance Committee submitted the following report :

*Mr. Speaker :*

The Committee on Finance beg to report as follows :

That they have had before them and duly considered a bill to be entitled an act for raising a revenue, and to appropriate money for the use of the government, and to make certain appropriations, and for other purposes herein mentioned, which they recommend do pass with amendments.

Also, a resolution to inquire into and report upon the claims of persons having charge of the books of the Western & Atlantic Railroad, and recommend the payment of their claims.

MORGAN RAWLS,  
*Chairman Finance Committee.*

The following bills were withdrawn :

A bill to authorize persons who have purchased real estate in the county of Rabun since the first day of June, 1865, to record their deeds, and for other purposes.

A bill to exempt practicing physicians from jury duty.

A bill to repeal an act to create a Board of Commissioners of Roads and Revenue for the county of Richmond, was read the third time and passed.

A bill to exempt practicing physicians from service as jurors, was read the third time and indefinitely postponed.

A bill to change the line between the counties of Bartow and Polk, was read the third time and lost.

A bill to make it criminal to hunt upon the land of



another without the consent of the owner, was read the third time and laid on the table.

On motion of Mr. Rawls, the appropriation bill, reported by the Committee on Finance, was made the special order for the evening session.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker :*

I am directed by his Excellency the Governor, to deliver to the House of Representatives, a communication in writing, with accompanying document:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., December 5, 1871.

*To the House of Representatives :*

I herewith return without my approval, an act to repeal an act entitled an act to organize the District Court, and define its jurisdiction, and for other purposes, approved October 28, 1870.

Justice demands that there should be in the several counties of the State, a court in which persons charged with minor offenses may be speedily tried. This court should be one which can be maintained at the least cost to the people, and at the same time be above all corrupting influences. Such a court is the one now sought to be abolished.

It is universally conceded that if the District Court be abolished, another court to answer the ends for which the District Court was organized, must be established. There must be a court in which persons charged with misdemeanors can have an impartial and speedy trial, for if the trial of this class of offenders be left to the Superior Courts, a person so charged may be kept in jail six months before he can have a trial or an opportunity to prove his innocence. Thus a person

may suffer the full imprisonment imposed for the commission of a misdemeanor and be acquitted of the charge against him when brought to trial therefor.

The District Court, as now organized, is more economical than any other which can be established, for being supported by the several counties composing a Senatorial District, it must necessarily impose a lighter burden upon the people than if it were maintained by a single county.

The District Judge having a fixed salary, and being in no wise dependent upon fines and forfeitures for compensation for his services, is enabled to do full and complete justice between man and man, and to give every person brought before him, accused of crime, a fair and impartial trial.

The District Court is a constitutional, and not a statutory structure, and where it has been in practical operation, it has given general satisfaction.

In view of these facts, I can see no good reason for its abolition, simply that a court more expensive to the people, less effective in its working, and surrounded by more corrupting influences, may be erected upon its ruins.

BENJAMIN CONLEY, *Governor*.

Mr. Scott moved to pass the bill mentioned in the foregoing message, notwithstanding the Executive veto.

A constitutional majority of two-thirds being required the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Allred,	Beaseley,	Butts,
Anderson, W. D.	Bell,	Carlton,
Anderson, Wm. P.	Berrien,	Cato,
Bacon,	Booth,	Christian,
Baker of Pike,	Bowie,	Clark of Richmond,
Ballanger,	Braddy,	Clark of Troup,
Barksdale,	Brewton of Tatnall,	Cleghorn,
Barron,	Bryan,	Clements,
Bateman,	Bunn,	Cloud,

Cody,	Hunter,	Pentecost,
Collins,	Jackson,	Phillips,
Converse,	Jenkins,	Pierce,
Cox,	Johnson of Clay,	Pou,
Craig,	Johnson of Jefferson,	Rawls,
Crittenden,	Johnson of Spalding,	Reid,
Cumming,	Jones of Gwinnett,	Renfroe,
Davis of Newton,	Jones of Hart,	Richards,
Dell,	Kelly,	Riley,
Edwards,	Kennedy,	Roundtree,
Emerson,	Killian,	Russell,
Etheridge,	Knowles,	Rutherford,
Fain,	Lamkin,	Scott,
Farmer,	Lang,	Sellers,
Field,	Mann,	Simmons of Gwinnett,
Franklin,	Martin,	Simmons of Hall,
Glover,	Mattox,	Slaton,
Goldsmith,	McConnell,	Smith of Oglethorpe,
Goodman,	McMillan,	Snead,
Graham,	McNeal,	Spence,
Griffin of Twiggs,	Meadows,	Stovall,
Guerry,	Morris,	Summers,
Guyton,	Morrison,	Summerlin,
Hammond,	Murphy of Burke,	Tarver,
Hancock,	Murphy of Harris,	Taylor,
Harvey,	Netherland,	Watters,
Head,	Nutting,	West,
Heidt,	Palmer,	Whately,
Hoge,	Patillo,	Wilson,
Howell,	Paulk,	Wofford of Banks,
Hooks,	Paxton,	Wood,
Hudson,	Payne,	Woodward,
Hughes,	Peeples,	Wynn.

Those voting in the negative are Messrs.—

Atkinson,	Dukes,	Oliver,
Battle,	Floyd,	O'Neal,
Blue,	Griffin of Houston,	Ormond,
Bruton of Decatur,	Hall of Meriwether,	Putney,
Brown,	Hillyer,	Richardson,
Campbell,	Joiner,	Simmons of Houston,
Clower,	Lewis,	Smith of Coweta,
Colby,	Lipsey,	Williams.
Davis of Clarke,		

Yeas 135. Nays 26.

So the bill was passed by a constitutional majority, notwithstanding the Executive veto.

The following message from the Executive Department was taken up:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., December 5, 1871.

*To the House of Representatives :*

I return herewith a bill to be entitled an act to repeal an act to declare the poll tax of this State, for the years 1868, 1869 and 1870, yet uncollected, illegal, and to prevent the collection of the same, without my approval.

My objections to the bill are two-fold: First. The title of the bill under consideration indicates that it is intended solely to repeal an act, the title of which is set out in full, while an examination of the body of the bill discloses the fact that it not only seeks to repeal the act to which the title refers, but goes still further and imposes extraordinary duties upon the Comptroller General and the several Tax Collectors of this State. In this the bill is clearly obnoxious to article three, section four, paragraph five, clause two of the Constitution of this State, which is in these words: "Nor shall any law or ordinance pass which refers to more than one subject-matter, *or contains matter different from what is expressed in the title thereof*"

Second. This bill, while it purports only to repeal an act to which it refers, in reality exacts from the people of this State a poll tax for the year 1870, which has not heretofore been legally assessed.

No law levying a poll tax for the year 1870 has ever been enacted, and no poll tax for that year has ever been legally required to be paid. There being no tax law passed for the year 1870, the law for the year 1869, after it had expired by its own limitation and become a dead letter upon the statute book, was revived by a joint resolution, approved May 4, 1870, which, so far as it relates to this matter, is as follows:

*"Resolved,* That for the same reasons, the tax act

of 1869 be, and it is hereby continued in full force and effect until *otherwise ordered by the General Assembly.*"

By the passage of the act now sought to be repealed, it *was* "otherwise ordered by the General Assembly," so far as it related to the poll tax of 1870, and that tax declared to be illegal, and the further collection thereof prevented. To reverse this action of the General Assembly, and at this late day, order the collection of a poll tax for 1870, on the eve, as it were, of an election, would, in my judgment, work a great hardship to many of our citizens, and deprive them of the right of suffrage in an unconstitutional and extraordinary manner.

BENJAMIN CONLEY, *Governor.*

Mr. Jackson moved to pass the bill mentioned in the foregoing message, notwithstanding the Executive veto.

Mr. Murphy of Harris called the previous question, and the call was sustained.

A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Allred,	Bush,	Edwards,
Anderson, Wm. D.,	Carlton,	Emerson,
Anderson, Wm. P.,	Cato,	Etheridge,
Bacon,	Chastain,	Fain,
Baker of Bryan.	Clark of Richmond,	Farmer,
Baker of Pike,	Clark of Troup,	Field,
Ballanger,	Cleghorn,	Flynt,
Barksdale,	Clements,	Glover,
Barron,	Cloud,	Goldsmith,
Bateman,	Cody,	Goodman,
Beaseley,	Collins,	Graham,
Berrien,	Converse,	Gray,
Booth,	Cox,	Griffin of Twiggs,
Bowie,	Craig,	Gueerry,
Braddy,	Crittenden,	Guyton,
Brewton of Tatnall,	Cumming,	Hall of Upson,
Bryan,	Davis of Newton,	Hammond,
Bunn,	Dell,	Hancock,

Harvey,	McNeal,	Rutherford,
Head,	Meadows,	Scott,
Heidt,	Morris,	Sellers,
Hoge,	Morrison,	Simmons of Gwinnett,
Howell,	Murphy of Burke,	Simmons of Hall,
Hudson,	Murphy of Harris,	Slaton,
Hughes,	Netherland,	Smith of Oglethorpe,
Hunter,	Nutting,	Snead,
Jackson,	Palmer,	Spence,
Jenkins,	Paulk,	Stovall,
Johnson of Jefferson,	Paxton,	Summers,
Johnson of Spalding,	Payne,	Summerlin,
Jones of Gwinnett,	Peeples,	Tarver,
Jones of Hart,	Pentecost,	Taylor,
Kelly,	Phillips,	Trammell,
Kennedy,	Pierce,	Watters,
Killian,	Pou,	West,
Knowles,	Rawls,	Whatley,
Lamkin,	Reid,	Wilson,
Lang,	Renfroe,	Wofford of Banks,
Lipsey,	Richards,	Wood,
Mann,	Riley,	Woodward,
Martin,	Roundtree,	Wynn.
McMillan,	Russell,	

Those voting in the negative are Messrs.—

Atkinson,	Davis of Clarke,	Mansfield,
Battle,	Dukes,	McWhorter,
Bell,	Floyd,	Oliver,
Blue,	Franklin,	O'Neal,
Bruton of Decatur,	Griffin of Houston,	Ormond,
Brown,	Hall of Meriwether,	Putney,
Campbell,	Hillyer,	Richardson,
Clower,	Joiner,	Simmons of Houston,
Colby,	Lewis,	Smith of Coweta,

Yeas, 122. Nays, 28.

So the bill was passed by a constitutional majority, notwithstanding the Executive veto.

A bill to prevent the sale of farm products between the hours of sunset and sunrise, in the counties of Richmond and Burke, was read the third time.

The amendments thereto recommended by the Committee on Agriculture and Manufactures, were agreed to.

Messrs. Dell, Stovall, Craig, Lang, Etheridge, Barron, Pierce, Guerry, McWhorter, Tarver, and Joiner, moved respectively, to amend by inserting the counties of Screven, Columbia, Telfair, Lincoln, Putnam, Jones, McDuffie, Quitman, Greene, Baker and Dougherty.

Pending action, the hour of 11½ o'clock arrived, and the House took a recess until 7 o'clock P. M.

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NIGHT SESSION, 7 o'clock P. M.

The House reassembled.

The special order was taken up, the same being the general appropriation bill reported by the Committee on Finance.

On motion of Mr. McWhorter, the House resolved itself into Committee of the Whole, for the consideration of the same.

Mr. Pierce, chairmrn of the Committee of the Whole, reported progress, and asked leave to sit again, which was granted.

The House, on motion, adjourned until 9 o'clock A. M. to-morrow

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ATLANTA, GEORGIA,

Thursday, December 7, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Jones.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Harvey, and also to Mr. Waddell, the Clerk of the House.

On motion of Mr. Pierce, a Senate resolution dismissing certain cases pending against the Treasurer of this State, was taken up and unanimously concurred in;

and, on motion, ordered to be transmitted forthwith to the Senate.

On motion of Mr. W. D. Anderson, the House went into Committee of the Whole, for the purpose of resuming consideration of the appropriation bill, reported by the Committee on Finance.

The Speaker resumed the chair.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof.

*Mr. Speaker :*

The Senate has passed the following bills, to-wit:

A bill to amend an act entitled an act to incorporate the Atlanta & Blue Ridge Railroad Company, and for other purposes. Approved October 17, 1870.

Also, a bill to amend an act incorporating the town of Boston, in Thomas county.

Also, a bill to change the time of holding the fall term of Lee Superior Court.

Also, a bill to provide for the payment of insolvent cost to officers of Upson county.

Also, a bill to amend the charter of the Atlanta & Roswell Railroad Company.

Also, a bill to provide for the farming out of the convicts of the Penitentiary, and for other purposes.

Also, a bill to secure counsel fees in certain cases.

Also, a bill to amend sections nine and ten of an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution.

Also, a bill to authorize the Ordinary of Rockdale county to levy an extra tax, and to issue bonds to build a court-house for said county.

The Senate has also agreed to a resolution requesting the Governor to have the library removed to some safer place, in which they ask the concurrence of the House of Representatives.

The Senate has also passed a bill to incorporate the Merchants' Mutual Insurance Company of Georgia.



The House again went into Committee of the Whole.  
The Speaker resumed the chair.

•The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

His Excellency the Governor has approved and signed the following act to-wit:

An act to authorize the payment of ten per cent interest on one hundred bonds of one thousand dollars each, by the Scofield Rolling Mill Company.

The House again went into Committee of the Whole.  
The Speaker resumed the chair.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bill of the House of Representatives, over the veto of his Excellency the Governor, by a constitutional majority of yeas, 33, nays, 8.

A bill to repeal an act to organize a District Court, and for other purposes.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit:

A bill to authorize the payment of ten per cent. interest on one hundred bonds of one thousand dollars each, by the Scofield Rolling Mill Company.

H. L. W CRAIG,  
*Chairman Enrolling Committee.*

The following message was received from the Senate, through Mr. Hill, their Secretary, to-wit:

*Mr. Speaker:*

The Senate has passed the following bills, to-wit:

A bill to be entitled an act to provide for the discharge of the duties of Ordinary of Chatham county under certain circumstances herein mentioned.

Also, a bill to be entitled an act to amend section 1052 of the Revised Code.

Also, a bill to be entitled an act to repeal section 812 of Irwin's Code, and to prescribe the mode of taxing shares in banks or other corporations having banking privileges.

Also, a bill to be entitled an act to amend section 4420, of Irwin's Penal Code.

The Senate has also passed, by a constitutional majority of yeas 27, nays 13, over the veto of his Excellency the Governor, a bill of the House of Representatives to repeal an act to declare the poll tax of 1868, 1869 and 1870 illegal, and to prevent the collection of the same.

The following message was received from the Executive Department through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing, with accompanying document:

EXECUTIVE DEPARTMENT,  
ATLANTA, GA., December 7, 1871.

*To the House of Representatives:*

I herewith return, without my approval, an act to alter and amend section 178 of Irwin's Revised Code.

By reference to the second section of this act, it will

be seen that it is enacted that it shall be the law, not from and after the date of its passage, but from the "beginning of the present session" of the General Assembly. Thus it is made to operate as law before the bill was introduced or your honorable body organized or was competent to receive a bill.

If it is competent for the General Assembly to repeal or amend a section of the Code and give effect to the repealing or amending law thirty days before its passage, it is only by the exercise of a power not conferred or contemplated by the Constitution, and one dangerous to the rights and liberties of the people.

The fact that this act will effect injuriously by its retroactive operation only members of the General Assembly, does not give the majority of your honorable body the right to divest against their will a minority, however small, of rights vested in them by law, nor does it make the act itself less obnoxious to the great principle of law that vested rights shall not be divested without the consent of the party injured.

I decline to sanction the act not only because of its retroactive operation, but also for the reason that it is evasive of the popular will. The enormous burdens which have been imposed upon the people by reason of the exorbitant per diem and mileage fees exacted by members of the General Assembly since the year 1865, have become so onerous that the tax payers, with one accord, clamor for relief. The people demand, and they have a right to expect that a very material reduction in the per diem and mileage fees of members of the General Assembly will be made. The act which has been presented for my signature, and which reduces the per diem fee but the paltry sum of two dollars, leaving the mileage as it was before, does not comply with that demand or fulfill that expectation.

When the people speak so clearly as they have upon this matter, their voice should be heard, and their will respected.

BENJAMIN CONLEY, *Governor*

Mr. W D. Anderson moved to pass the bill mentioned in the foregoing message by a constitutional majority of two-thirds, notwithstanding the Executive veto.

Mr. Edwards called the previous question, and the call was sustained.

Those voting in the affirmative are Messrs—

Allred,	Flynt,	Murphy of Burke,
Anderson, Wm. D.,	Franklin,	Netherland,
Anderson, Wm. P.,	Glover,	Palmer,
Bacon,	Goldsmith,	Patillo,
Baker of Pike,	Goodman,	Paxton,
Ballanger,	Graham,	Payne,
Barksdale,	Gray,	Peoples,
Barron,	Griffin of Twiggs,	Pentecost,
Bateman,	Guerry,	Pierce,
Beaseley,	Guyton,	Pou,
Berrien,	Hall of Upson,	Reid,
Bowie,	Hammond,	Renfroe,
Braddy,	Hancock,	Richards,
Brewton of Tatnall,	Harvey,	Riley,
Bryan,	Heidt,	Roundtree,
Bunn,	Hoge,	Russell,
Bush,	Hooks,	Rutherford,
Carlton,	Hudson,	Scott,
Cato,	Hughes,	Sellers,
Chastain,	Hunter,	Simmons of Gwinnett,
Clark of Richmond,	Jackson,	Simmons of Hall,
Clark of Troup,	Jenkins,	Slaton,
Cleghorn,	Johnson of Jefferson,	Smith of Oglethorpe,
Clements,	Johnson of Spalding,	Snead,
Cloud,	Jones of Gwinnett,	Spence,
Cody,	Jones of Hart,	Summers,
Collins,	Kelly,	Summerlin,
Converse,	Kennedy,	Tarver,
Cox,	Killian,	Taylor,
Craig,	Knowles,	Trammell,
Crittenden,	Lamkin,	Watters,
Cumming,	Lang,	West,
Davis of Newton,	Mann,	Whatley,
Dell,	Mattox,	Wilson,
Edwards,	McConnell,	Wofford of Banks,
Emerson,	McMillan,	Wofford of Bartow,
Etheridge,	McNeal,	Wood,
Fain,	Meadows,	Woodward,
Farmer,	Morris,	Wynn.
Field,	Morrison,	

Those voting in the negative are Messrs—

Atkinson,	Dukes,	Moreland,
Battle,	Floyd,	Oliver,
Bell,	Griffin of Houston,	O'Neal,
Blue,	Hall of Meriwether,	Ormond,
Bruton of Decatur,	Head,	Putney,
Brown,	Hillyer,	Richardson,
Campbell,	Joiner,	Sargent,
Clower,	Lewis,	Simmons of Houston,
Colby,	Mansfield,	Smith of Coweta,
Davis of Clarke,	McWhorter,	Williams.

Yeas, 119. Nays, 29.

So the bill was passed by a constitutional majority, notwithstanding the Executive veto.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bill of the House of Representatives, and I am instructed to transmit the same forthwith to this branch of the General Assembly:

A bill to incorporate the town of Colquitt, and for other purposes.

The Senate has also passed, by a constitutional majority of yeas 29, nays 10, over the veto of his Excellency the Governor, a bill of the House of Representatives to amend section 178 of the Revised Code.

The House again went into Committee of the Whole.

Mr. Pierce, chairman of the Committee of the Whole, reported progress, and asked leave to sit again.

Mr. Anderson moved that the session be extended thirty minutes, and the motion prevailed.

Mr. Scott offered a resolution that 1,000 copies of the bill, providing for a special election for Governor, on 19th December instant, be printed for distribution in the several counties of this State, which was agreed to.

The House again went into Committee of the Whole.

Mr. Pierce, chairman of the Committee of the Whole, reported the appropriation bill back to the House, with the recommendation that it do pass, as amended by said committee.

On motion of Mr. W. D. Anderson, the House took a recess until 3 o'clock P. M.

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AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

The unfinished business of this morning, the same being the general appropriation bill, as amended by the Committee of the Whole, was resumed.

Mr. W. D. Anderson moved to take the bill up by sections, and the motion prevailed.

The first, second and third sections were read and adopted.

To the fourth section, Mr. Pou offered an amendment fixing the compensation of the Secretary, and assistant Secretary of the Senate, the Clerk and assistant Clerk of the House, and the Journalizing Clerks of the two Houses, at seven hundred and fifty dollars each, for the session, and allowing them the same mileage as members of the General Assembly.

The amendment was agreed to, and the section as thus amended, adopted.

The remaining sections were then severally adopted, and the bill was read and passed as a whole.

On motion, it was ordered to be transmitted to the Senate forthwith.

A bill to alter and amend an act to incorporate the Georgia Military Institute, was read the third time and passed.

A bill to authorize the town council of Forsyth to issue bonds as currency, and for other purposes, was read the third time.

On motion of Mr. Hall of Upson, a Senate bill of

the same title was read and passed as a substitute therefor.

A bill to provide for the payment of two judgments against the State, under the act of April 17, 1862, was read the third time and laid on the table.

A resolution in relation to printing the public laws, was laid on the table.

Leave of absence was granted to Messrs. Bush and Cox, for the balance of the session, on account of sickness in their families.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report, to-wit:

*Mr Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bill, to-wit:

A bill to incorporate the town of Colquitt, and provide for the election of Commissioners for the same.

H. L. W. CRAIG,

*Chairman Enrolling Committee.*

The following message was received from the Senate, through their Assistant Secretary, Mr. Little:

*Mr Speaker:*

The Senate has passed the following bill, which I am ordered to transmit forthwith, to-wit:

A bill to be entitled an act for the apportionment of the members of the House of Representatives.

Also, a resolution that a joint committee of two from the Senate and three from the House be appointed to look into the business now before the General Assembly, with a view to the prolongation of the same beyond the constitutional term, and have appointed on the same, on the part of the Senate, Messrs. Erwin and Reese, which I am ordered to transmit forthwith.

The following Senate bills were read the first time:

A bill for the apportionment of the members of the House of Representatives.

A bill to amend section 4420 of Irwin's Revised Code.

A bill to provide for the discharge of the duties of Ordinary of Chatham county, under certain circumstances.

A bill to repeal section 812 of Irwin's Code, and to prescribe the mode of taxing shares in banks or other corporations having banking privileges.

A bill to amend the charter of the Atlanta & Roswell Railroad Company.

A bill to amend sections nine and ten of an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution.

A bill to amend an act incorporating the the town of Boston, in Thomas county

A bill to change the time of holding the fall term of Lee Superior Court.

A bill to secure counsel fees in certain cases.

A bill to incorporate the Atlanta & Blue Ridge Railroad Company.

A bill to amend an act to amend an act incorporating the Ocmulgee River Railroad Company

A bill to provide for the farming out of the convicts of the Penitentiary of this State.

A bill to amend the charter of the Gate City Insurance Company of Atlanta, Georgia.

A bill to amend the attachment laws of the State of Georgia.

A bill to amend an act to fix and define the fees of Ordinaries and Clerks of the Superior Courts, in applications for setting apart a homestead.

A bill to repeal an act of 1831 requiring Justices of the Peace to act as road commissioners in the county of Pulaski, and for other purposes.

A bill to incorporate the Waynman & Franklin Manufacturing Company of Upson county.



A bill to make penal the selling of personal property which has been mortgaged as a security for the payment of debt, and to provide for the punishment of the same.

A bill to incorporate the Flint River Manufacturing Company of Upson county.

A bill to create a new judicial circuit out of the counties composing the Southern, Macon and Middle circuits, and for other purposes.

A bill to authorize the Ordinary of Pulaski county to issue bonds to build a court-house.

A bill to change the time of holding the Superior Courts in the county of Jasper.

A bill to provide for the taking of testimony by written deposition in cases not now allowed by law.

A bill to carry into effect paragraph three, section five, article three of the Constitution of the State of Georgia.

A bill to extend the provisions of the eleventh section of an act, approved February 22, 1850, in relation to Tax Collectors and Receivers of Chatham county to the county of Fulton.

A bill to authorize the Ordinary of Rockdale county to levy an extra tax and issue bonds for the purpose of building a court-house in said county.

A bill to amend section 1052 of the Revised Code.

A bill to incorporate the Merchants' Mutual Insurance Company of Georgia.

A bill to provide for the payment of insolvent costs to the county officers of Upson county, and for other purposes.

The following Senate bills were read the second time and ordered to be engrossed :

A bill to change the line between the counties of Greene and Morgan.

A bill to amend an act to incorporate a medical college in the city of Savannah.

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A bill to amend the law establishing the Police Court of the city of Savannah.

A Senate bill to carry into effect the election for a Governor, to fill the unexpired term of Rufus B. Bullock, was read the second time and laid on the table.

The following Senate bills were read the second time and referred to the Committee on the Judiciary:

A bill to amend an act to extend the lien of set-off and recoupment, as against debts contracted before the first day of June, 1865.

A bill to amend the laws of this State in relation to *habeas corpus*.

A bill to secure the several counties of the State of Georgia from costs.

A bill to repeal an act to preserve the peace and harmony of this State.

The following Senate bills were read the second time, and committed:

A bill to create a county court in each county of this State, except such counties as are excepted by the provisions of this act.

A bill to change the time of holding the Superior Courts of the Brunswick Circuit, and for other purposes.

A bill to authorize the local authorities of Chatham county to change or abolish the road leading from the Isle of Hope to the main road on Skidaway Island.

A bill to incorporate the Hawkinsville & Eufaula Railroad Company

A bill to provide for sales of property in this State, to secure loans and other debts.

A bill to make it penal to withhold money or personal property belonging to the State of Georgia.

A bill to limit the time of service of petit jurors in the Superior Courts of Chatham county

A bill to authorize married women to sue for and re-

cover damages from any person selling their husbands liquor while intoxicated.

A bill to incorporate the town of Doraville, in the county of DeKalb.

A bill to change the line between the counties of Coweta and Troup.

A bill to provide for a county Board of Commissioners for Decatur county.

A bill to amend section 61 of the Code, in relation to offering rewards for criminals.

A Senate resolution to appoint a joint committee to examine the business of the two Houses, and report upon the propriety of prolonging this session beyond the constitutional term of forty days, was taken up, and concurred in, and the following gentlemen were appointed on said committee from the House:

Messrs. Hoge, Peeples and McMillan.

The resolution was ordered to be transmitted to the Senate forthwith.

A Senate resolution, requesting the Governor to give information in regard to the debt of this State for printing and contingent expenses, etc., was concurred in, and ordered to be transmitted forthwith to the Senate.

The House took a recess until 7 o'clock P. M.

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#### NIGHT SESSION, 7 o'clock P. M.

The House reassembled.

The following Senate bills were read the third time and passed:

A bill to incorporate the Chattahoochee Manufacturing Company

A bill to confer additional powers upon the corporate authorities of the town of Barnesville, in the county of Pike.

A bill to change the time of holding the Superior Courts of Talbot county.

A bill to incorporate the Oglethorpe Fertilizer Company.

A bill to amend and add to the law of arson in the State of Georgia.

A bill to amend an act entitled an act to amend paragraph — in section 2741 of the Code of Georgia.

A Senate bill to amend an act to incorporate the Albany & Columbus Railroad Company was read the third time and lost.

Mr. Pou gave notice that he would move on to-morrow to reconsider the loss of this bill.

A Senate bill to regulate the practice of dentistry in this State, was read the third time and laid on the table.

Mr. Hoge withdrew a memorial of Murphy and Raspberry, asking compensation for services in arresting J W Redmond, of Lumpkin county

Mr. Cumming offered a resolution, for the appointment of Messrs. W H. Hall, R. H. Clark and J. T. Nesbit, as a committee to examine certain indexes and digests of the Supreme Court Decisions, and report thereon to the next session of the General Assembly

The rules were suspended and the resolution agreed to.

A Senate bill to amend the law relative to writs of *quo warranto* was read the third time, and referred to the Committee on the Judiciary

A Senate bill to amend section 4428 of the Code of Georgia was read the third time and passed, as amended by the report of the Committee on the Judiciary

Mr. Clower gave notice that he would move on to-morrow to reconsider the passage of this bill.

A Senate bill to incorporate the Savannah & Thunderbolt Railroad Company, and for the purpose of opening a railroad communication from the city of Savannah to the town of Thunderbolt, and for other purposes, was read the third time.

Mr. Simmons of Gwinnett moved to amend by adding an additional section, to be known as section fifteen.

Mr. Heidt moved to amend by striking out all of said bill which authorized said company to construct a railway through Abercorn street.

Mr. Richards called the previous question, and the call was sustained.

The motion of Mr. Heidt was lost; that of Mr. Simmons prevailed, and the bill as thus amended was passed.

Mr. Heidt gave notice that he would move a reconsideration of this action of the House on to-morrow.

The following House bills were read the third time and passed:

A bill to incorporate the Georgia & Alabama Coal and Iron Mining and Manufacturing Company.

A bill to consolidate the offices of Sheriff and Tax Collector in the county of Jones.

The House adjourned until 9 o'clock A. M., to-morrow.

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ATLANTA, GEORGIA,  
Friday, December 8, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Jones.

The Journal of yesterday was read and approved.

Mr. Pou moved to reconsider so much of the Journal as relates to the loss of a bill to amend an act to incorporate the Albany & Columbus Railroad Company.

Mr. Bryan called the previous question, and the call was sustained.

Mr. Jackson called for the yeas and nays, and the call was sustained.

Those voting in the affirmative are Messrs.—

Atkinson,	Goodman,	Ormond,
Battle,	Griffin of Houston,	Payne,
Bell,	Guerry,	Pentecost,
Blue,	Hall of Meriwether,	Pou,
Bruton of Decatur,	Hall of Upson,	Putney,
Brown,	Hillyer,	Richardson,
Campbell,	Hudson,	Simmons of Hall,
Cleghorn,	Johnson of Clay,	Simmons of Houston,
Clower,	Joiner,	Smith of Coweta,
Cody,	Lang,	Summerlin,
Colby,	Lewis,	Tarver,
Craig,	Mansfield,	Watters,
Dukes,	McWhorter,	Williams,
Fain,	Moreland,	Wood,
Floyd,	O'Neal,	Woodward.

Those voting in the negative are Messrs.—

Allred,	Farmer,	Morris,
Anderson, Wm. D.,	Flynt,	Murphy of Harris,
Bacon,	Franklin,	Netherland,
Baker of Pike,	Glover,	Palmer,
Barksdale,	Goldsmith,	Patillo,
Barron,	Gray,	Paulk,
Bateman,	Griffin of Twiggs,	Paxton,
Beaseley,	Hammond,	Rawles,
Berrien,	Hancock,	Reid,
Booth,	Head,	Richards,
Bowie,	Heidt,	Riley,
Braddy,	Howell,	Roundtree,
Brewton of Tatnall,	Hughes,	Rutherford.
Bryan,	Hunter,	Sargent,
Bunn,	Jackson,	Scott,
Butts,	Jenkins,	Sellers,
Carlton,	Johnson of Spalding,	Simmons of Gwinnett,
Cato,	Jones of Gwinnett,	Slaton,
Chastain,	Kelly,	Smith of Oglethorpe,
Clark of Richmond,	Kennedy,	Spence,
Clark of Troup,	Killian,	Stovall,
Cloud,	Knowles,	Taylor,
Collins,	Lamkin,	Trammell,
Converse,	Mann,	West,
Crittenden,	Martin,	Whatley,
Cumming,	Mattox,	Wilson,
Dell,	McMillan,	Wofford of Banks,
Emerson,	McNeal,	Wofford of Bartow,
Etheridge,	Meadows,	Wynn.

Yeas, 45. Nays, 87.

So the motion to reconsider did not prevail.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker :*

His Excellency the Governor has approved and signed the following act, to-wit:

An act to incorporate the town of Colquitt, and to provide for the election of Commissioners of the same.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has passed the following bill of the House of Representatives, to-wit:

A bill to incorporate the Macon & Knoxville Railroad Company, and for other purposes.

Mr. Clower moved to reconsider so much of the Journal as relates to the passage of a Senate bill to amend section 4428 of the Code of Georgia.

Mr. Richards moved to lay the motion to reconsider on the table, and the motion prevailed.

Mr. Heidt moved to reconsider so much of the Journal as relates to the passage of a Senate bill to incorporate the Savannah & Thunderbolt Railroad Company, and for the purpose of opening a railroad communication from the city of Savannah to the town of Thunderbolt, and for other purposes.

On motion of Mr. Pierce, the motion to reconsider was laid on the table.

Mr. Bryan moved to reconsider so much of the Journal as relates to the tabling of a Senate bill to regulate the practice of dentistry in this State.

Mr. Pierce made the point of order that the motion

to reconsider could not be entertained, no notice having been given before the reading of the Journal, or during the reading thereof.

The Speaker ruled the point well taken.

The following message was received from the Senate, through Mr. Little, the Secretary *pro tem.* thereof:

*Mr Speaker :*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to authorize the corporate authorities of Dalton to issue bonds for educational purposes.

Also, a bill to authorize the corporate authorities of Dalton to purchase and donate lands to the Selma, Rome & Dalton Railroad Company

Also, a bill for the relief of O. P. Anthony, Tax Collector of Clay county.

The Senate has also elected by a vote of 39 yeas, nays none, W. A. Little as Secretary *pro tem.* of the Senate.

On motion of Mr. Dell, the rules were suspended, and a Senate bill to carry into effect the election for a Governor to fill the unexpired term of Rufus B. Bullock, was read the third time, passed, and ordered to be transmitted to the Senate forthwith.

Mr. Wofford of Bartow offered a joint resolution relating to Cherokee Indians.

The rules were suspended, the resolution agreed to and ordered to be transmitted to the Senate forthwith.

The unfinished business of the 6th instant, the same being a bill to prevent the sale of farm products between the hours of sunset and sunrise, in the counties of Richmond and Burke, with the amendments thereto, was taken up.

Mr. Bryan offered a substitute for the same.

On motion, the bill, substitute and amendments were laid on the table.



A bill to incorporate the city of Fort Valley was withdrawn by Mr. Griffin of Houston, the author thereof.

The following message was received from the Senate, through Mr. Little, the Secretary *pro tem.* thereof:

*Mr Speaker :*

The Senate has agreed to, by a constitutional majority of yeas 27, nays 11, a resolution prolonging the present session of the General Assembly until Wednesday, 13th instant, inclusive, and no longer, unless by a majority of two-thirds of each branch of the General Assembly, and I am instructed to transmit the same forthwith to this branch of the General Assembly

The foregoing resolution was taken up, and made the special order for 3 o'clock, this afternoon.

The following message was received from the Executive Department through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker :*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing.

The following message was received from the Senate, through Mr. Little, their Secretary, *pro tem :*

*Mr Speaker :*

The Senate has passed the following House bills, to-wit:

A bill to repeal an act entitled an act to alter and amend section 4245 of Irwin's Revised Code, by striking out of said section the words, "to work in a chain-gang on the public works," and for other purposes, approved October 27, 1870.

Also, a bill to be entitled an act to alter and amend

an act to incorporate the Newnan & Americus Railroad Company, and for other purposes, assented to August 27, 1870.

Also, a bill to be entitled an act to alter and amend an act entitled an act to amend and alter the charter of the city of Columbus, approved March 8, 1866.

Also, a bill to be entitled an act creating commissioners for the county of McIntosh, to define their powers, duties, etc., and for other purposes.

Also, a bill to be entitled an act to change the line between the counties of Upson and Pike, and for other purposes.

Also, a bill to be entitled an act to authorize the Mayor and Council of the city of Cuthbert to issue bonds for educational purposes, and to assess and collect taxes to pay the same.

Also, a bill to be entitled an act to amend an act entitled an act to incorporate the town of Clarkesville, in the county of Habersham, to appoint commissioners for the same, and for other purposes, approved September 16, 1870.

Also, a bill to be entitled an act to authorize a counter showing to a motion for a continuance in the courts of this State.

Also, a resolution providing for the printing of one thousand copies of the election bill.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report:

*Mr. Speaker :*

The Committee on the Judiciary have had under consideration a number of the bills submitted thereto, and I am instructed to report as follows:

A bill to be entitled an act to amend an act entitled an act to facilitate the sale of real estate in Georgia, and to encourage immigration thereto, approved December 3, 1866, the committee recommend do not pass.

A bill to be entitled an act to execute the fifteenth

section of article one of the Constitution of Georgia, the committee recommend do pass.

A bill to be entitled an act to merge the jurisdiction of courts of law and equity in this State, the committee recommend do pass.

A bill to be entitled an act to repeal an act to organize the District Court, and to define its jurisdiction, and for other purposes, approved October 28, 1870, the committee recommend do not pass.

I am also instructed by the committee to report and recommend the adoption of a resolution authorizing the Clerk to employ such additional number of clerks as may be necessary, not exceeding twelve, to keep up with the business of the House.

E. F. HOGG, *Chairman*.

The following message was received from the Senate, through Mr. Little, the Clerk *pro tem*. thereof:

*Mr Speaker :*

The Senate has passed the following House bills, to-wit :

A bill to be entitled an act to incorporate the Grand Bay Paper Manufacturing Company

Also, a bill to be entitled an act to amend and alter and add to the several acts incorporating the town of Calhoun.

Also, a bill to be entitled an act to incorporate the town of Tilton, in Whitfield county, and to appoint Commissioners for the same, and for other purposes.

Also, a bill to be entitled an act to authorize the town council of the town of Calhoun to aid in the construction of the North Georgia & North Carolina Railroad.

Also, a bill to be entitled an act to authorize the Ordinary of Gwinnett county to issue bonds, for the purpose of raising money to build a court-house.

The House went into Committee of the Whole, for the purpose of considering a bill to levy and collect a

tax for the support of the government for the year 1872, and for other purposes.

Mr. Simmons of Gwinnett, chairman of the Committee of the Whole, reported the bill back to the House without recommendation.

The bill was then taken up by sections.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections were read and adopted.

Mr. Scott moved to strike out the fourteenth section.

The yeas and nays were called for.

Those voting in the affirmative are Messrs.—

Allred,	Etheridge,	Oliver,
Anderson, Wm. D.,	Fain,	O'Neal,
Anderson, Wm. P.,	Field,	Ormond,
Atkinson,	Floyd,	Palmer,
Bacon,	Franklin,	Payne,
Baker of Bryan,	Glover,	Pentecost,
Ballanger,	Goodman,	Putney,
Barksdale,	Gray,	Rawls,
Barron,	Griffin of Houston,	Reid,
Battle,	Griffin of Twiggs,	Renfroe,
Beaseley,	Hall of Upson,	Richards,
Blue,	Hammond,	Richardson,
Bowie,	Hancock,	Riley,
Braddy,	Head,	Roundtree,
Bruton of Decatur,	Hooks,	Sargent,
Brown,	Hudson,	Scott,
Bryan,	Hughes,	Sellers,
Campbell,	Jenkins,	Simmons of Gwinnett,
Carlton,	Joiner,	Simmons of Hall,
Cato,	Jones of Gwinnett,	Simmons of Houston,
Chancey,	Jones of Hart,	Smith of Coweta,
Chastain,	Kennedy,	Spence,
Clark of Troup,	Killian,	Stovall,
Clements,	Lamkin,	Summers,
Cloud,	Lewis,	Summerlin,
Clower,	Martin,	Taylor,
Colby,	McConnell,	Trammell,
Collins,	McMillan,	West,
Converse,	McWhorter.	Whatley,
Davis of Clarke,	Meadows,	Wofford of Banks,
Dell,	Moreland,	Wofford of Bartow
Dukes,	Morris,	Wood.
Edwards,	Netherland,	Woodward.
Emerson,	Nutting,	

Those voting in the negative are Messrs.—

Baker of Pike,	Goldsmith,	Morrison,
Bateman,	Guerry,	Murphy of Burke,
Bell,	Hall of Meriwether,	Murphy of Harris,
Berrien,	Heidt,	Patillo,
Brewton of Tatnall,	Hillyer,	Paxton,
Bunn,	Hoge,	Pierce,
Butts,	Howell,	Pou,
Clark of Richmond,	Hunter,	Russell,
Cleghorn,	Jackson,	Slaton,
Cody,	Johnson of Clay,	Snead,
Crittenden,	Johnson of Spalding,	Tarver,
Cumming,	Kelly,	Watters,
Davis of Newton,	Knowles,	Wilson,
Farmer,	Lang,	Wynn.
Flynt,	Mansfield,	

Yeas, 101. Nays, 44.

So the motion to strike out prevailed.

The remaining sections were then read and adopted, and the bill, as a whole, was read and passed.

Leave of absence was granted to Messrs. Guyton, Johnson of Jefferson, Mann and Kennedy, for the balance of the session, and to Mr. Davis of Clarke, for a few days, on account of sickness in his family.

Mr. Glover offered a resolution requesting the Governor to order an election for Representative in Sumter county to fill the vacancy occasioned by the death of the late Hon. Wright Brady.

The resolution was agreed to.

The House took a recess until 3 o'clock, P. M.

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#### AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

Mr. Richards offered a resolution that all bills and resolutions passed or adopted by this House, be transmitted to the Senate forthwith, unless a motion to reconsider is made at the time of the passage or adoption of the same, which was agreed to.

Mr. W. D. Anderson offered a resolution that no member be allowed to speak longer than five minutes on any subject, which was agreed to.

Mr. Wofford of Bartow offered a resolution that this session of the General Assembly be prolonged until, and including, Saturday, December 16, 1871.

Mr. Bacon called the previous question, and the call was sustained.

A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Anderson, Wm. D.	Etheridge,	Lamkin.
Anderson, Wm. P.	Fain,	Lang,
Bacon,	Farmer,	Lipsey,
Baker of Bryan,	Field,	Mann,
Baker of Pike,	Glover,	Mansfield,
Ballanger,	Goldsmith,	Martin,
Barksdale,	Goodman,	Mattox,
Barron,	Graham,	McMillan,
Bateman,	Gray,	McNeal,
Berrien,	Griffin of Twiggs,	McWhorter,
Bowie,	Guerrey,	Meadows,
Brewton of Tatnall,	Hall of Meriwether,	Moreland,
Bryan,	Hall of Upson,	Morris,
Bunn,	Hammond,	Morrison,
Butts,	Hancock,	Murphy of Burke,
Cato,	Head,	Murphy of Harris,
Chancey,	Heidt,	Netherland,
Clark of Richmond,	Hoge,	Nutting,
Clark of Troup,	Howell,	Paulk,
Cleghorn,	Hooks,	Paxton,
Clements,	Hudson,	Payne,
Cloud,	Hunter,	Pentecost,
Cody,	Jackson,	Pierce,
Colby,	Jenkins,	Pou,
Converse,	Johnson of Clay,	Rawls,
Cox,	Johnson of Spalding,	Reid,
Craig,	Jones of Gwinnett,	Renfro,
Crittenden,	Jones of Hart,	Riley,
Cumming,	Kelly,	Roundtree,
Dell,	Kennedy,	Russell,
Edwards,	Killian,	Rutherford,
Emerson,	Knowles,	Sellers,

Simmons of Gwinnett,	Summerlin,	Whatley,
Slaton,	Tarver,	Wilson,
Smith of Oglethorpe,	Taylor,	Wofford of Banks,
Snead,	Trammell,	Wofford of Bartow,
Spence,	Watters,	Woodward,
Stovall,	West,	Wynn.
Summers,		

Those voting in the negative are Messrs—

Allred,	Clower,	Ormond,
Atkinson,	Collins,	Palmer,
Battle,	Dukes,	Patillo,
Beaseley,	Floyd,	Peeples,
Bell,	Franklin,	Putney,
Blue,	Hillyer,	Richards,
Bruton of Decatur,	Hughes,	Richardson,
Brown,	Joiner,	Simmons of Hall.
Campbell,	Lewis,	Simmons of Houston,
Carlton,	Oliver,	Smith of Coweta,
Chastain,	O'Neal,	

Yeas, 115. Nays, 32.

So the resolution was adopted by a constitutional majority

Mr. Hoge moved that the Clerk of the House inform the Senate forthwith that the House has, by a constitutional majority of two-thirds, voted to prolong this session of the General Assembly to and including Saturday, the 16th instant, and the motion prevailed.

Mr. Hudson moved that the Clerk of the House also furnish the Senate with a copy of the resolution in reference to prolongation, agreed to by this House.

The motion prevailed.

The following message was received from the Senate, through Mr. Little, their Secretary *pro tem*:

*Mr. Speaker:*

The Senate has passed the following House bills, to-wit:

A bill to be entitled an act to incorporate the La-Grange Banking and Trust Company, passed by yeas 31, nays 1, a constitutional majority.

Also, a bill to be entitled an act to establish a Board of Commissioners of Roads and Revenue for the county of Habersham, to define their duties, and for other purposes therein named.

Also, a bill to be entitled an act to authorize the Tax Collector of Madison county to receive certain jury certificates, for services as jurors rendered in said county, in payment of all taxes due said county, and for other purposes.

Also, a bill to be entitled an act to authorize the Ordinary of Randolph county to issue bonds of said county for the building of a new court-house, and for other purposes.

Also, a bill to be entitled an act to change the law of distribution, so far as it effects the separate property of a married woman.

Also, a bill to be entitled an act to make it legal for Sheriffs, Coroners and other levying officers, to sell certain kinds of personal property, without exposing the same before the court-house door at the time of sale.

Also, a bill to be entitled an act to provide for the levying and collecting of a tax for the payment of bills for insolvent criminal costs due Benjamin L. Cole, late Sheriff of Chatham county, and William H. Bullock, late Clerk Superior Court of Chatham county

Also, a bill to be entitled an act to amend the acts relative to fees of the Clerk of the Superior Court of Chatham county, and the Clerk of the City Court of Savannah, Georgia, and fees of the Sheriff of Chatham county, and Sheriff of the City Court of Savannah, Georgia, unprovided for, and to point out the manner of collecting the same.

Also, the following Senate bill, to-wit:

A bill to be entitled an act for the relief of Ziba King.

Also, the following House bill, to-wit:

A bill to be entitled an act to incorporate the Atlantic,



Fort Valley & Memphis Railroad Company, and for other purposes therein mentioned.

Also, a bill to be entitled an act to amend an act entitled an act to alter and amend the several acts incorporating the city of Macon, approved December 27, 1847, and the several acts amendatory thereof, to grant additional powers to the Mayor and Council of the city of Macon, and for other purposes.

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr. Speaker :*

His Excellency the Governor has approved and signed the following act, to-wit:

An act for the relief of O. P. Anthony, Tax Collector of the county of Clay, and his securities.

The following message was received from the Senate, through Mr. Little, their Secretary *pro tem*:

*Mr. Speaker :*

The Senate has passed the following House bills, to-wit:

A bill to be entitled an act for the election and creation of a Board of County Commissioners for the county of Screven, define their duties, and for other purposes.

Also, a bill to be entitled an act to change the line between the counties of Carroll and Douglas, and to add a portion of the county of Douglas to the county of Carroll, and for other purposes therein named.

Also, a bill to be entitled an act for the better regulation and government of the town of Sparta, in the county of Hancock, and the acts amendatory thereof, and for other purposes.

Also, a bill to be entitled an act to authorize the Ordinary of Cobb county to issue and negotiate bonds,

and provide means for the redemption thereof by taxation, for the purpose of building and finishing a courthouse in the city of Marietta, in said county of Cobb, and for other purposes.

Also, a bill to be entitled an act to prevent the sale of spirituous liquors within a mile of the Clements' Institute, etc.

Mr. Hoge, chairman of the Committee on the Judiciary, submitted the following report :

*Mr. Speaker :*

The Committee on the Judiciary, to whom was referred a bill to be entitled an act to amend an act entitled an act to incorporate the town of Adairsville, approved the 8th day of February, 1854, have had the same under consideration, and I am instructed to report a substitute, by way of amendment, to the original bill, with the recommendation that it do pass.

E. F. HOGE, *Chairman*.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report :

*Mr. Speaker :*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bills, to-wit:

A bill for the relief of O. P. Anthony, Tax Collector for the county of Clay, and his securities.

Also, a bill to authorize the corporate authorities of the city of Dalton to issue bonds for educational purposes.

Also, a bill to authorize the corporate authorities of the city of Dalton to purchase and donate to the Selma, Rome & Dalton Railroad Company a site upon which to erect the machine shops of said company

Also, a bill to authorize the town council of Calhoun

to aid in the construction of the North Georgia & North Carolina Railroad.

Also, a bill to repeal an act entitled an act to alter and amend section 4245 of Irwin's Revised Code, by striking out of said section the words, "to work in a chain-gang and the public works," and for other purposes, approved October 27, 1870.

Also, a bill to alter and amend an act entitled an act to amend and alter the charter of the city of Columbus, approved March 8, 1866.

Also, a bill to change the line between the counties of Upson and Pike, and for other purposes.

Also, a bill to incorporate the Macon & Knoxville Railroad Company, and for other purposes therein named.

Also, a resolution providing for the printing of one thousand copies of the election bill.

Also, a bill creating commissioners for the county of McIntosh, to define their powers, duties, etc., and for other purposes.

H. L. W. CRAIG,  
*Chairman Enrolling Committee.*

The following bills were read the third time and passed:

A bill to legalize the county tax levied by the Ordinary of Dougherty county, for the year 1871.

A bill to amend an act to incorporate the town of Thomson, in the county of Columbia, now McDuffie.

A bill to amend an act amendatory of an act to incorporate the town of New Gibraltar, in DeKalb county, and to change the name of the same to Stone Mountain.

A bill to amend an act to compel non-residents to pay tax on cattle and sheep, running and grazing in the county of Colquitt.

A bill to incorporate the Atlanta & Monticello Narrow Gauge Railway Company.

A bill to alter and amend section 3434 of Irwin's Revised Code.

A bill to alter and amend section 650 of Irwin's Revised Code, so far as relates to the county of Colquitt.

A bill to change the name of Bowdon Collegiate Institute.

A bill to amend the charter of Fort Gaines was read the third time, and a substitute therefor, recommended by the Committee on Corporations, was passed.

A bill to incorporate the town of Jefferson was read the third time, and passed by a substitute recommended by the Committee on Corporations.

The following bills were read the third time and lost :

A bill for the relief of William Hanby and Adaline Hendricks, both of DeKalb county.

A bill to amend the homestead laws of this State.

A bill to amend section 2532 of the Code of Georgia.

A bill to appoint a commission for certain purposes.

A bill to endow the Atlanta University

A bill to give to the Ordinaries of the several counties of this State authority to issue attachments, and for other purposes.

A bill to appropriate money to pay the heirs of the late Colonel Mordecai Sheftall, of Savannah, Georgia.

The following bills were read the third time and laid on the table :

A bill to alter and amend the wild land laws of this State.

A bill relating to fences, and for the protection of crops.

A Senate bill to change the time of holding the fall term of Lee Superior Courts, was read the second time, and ordered to be engrossed.

A Senate bill, to create a new Judicial Circuit out of the counties composing the Southern, Macon and Middle Circuits, and for other purposes, was read the second time, and committed.

The House took a recess until 7 o'clock P. M.

NIGHT SESSION, 7 o'clock P. M.

The House reassembled.

The following bills were read the third time and passed :

A bill to incorporate the town of Leeton.

A bill to amend the several acts consolidated and approved February 9, 1869, incorporating the town of Lumpkin, in Stewart county.

A bill to alter and fix the pay of grand and traverse jurors and bailiffs of the Superior Courts of the county of Terrell.

A bill to prescribe the manner in which lunatics, idiots, insane and imbecile persons may be committed to the Lunatic Asylum of this State, and to provide for the support of the families of the same, and for other purposes.

A bill to compensate the grand and petit jurors of the county of Jefferson, by allowing them mileage.

A bill to authorize the revision of the jury-box in Rabun county, and for other purposes.

A bill to authorize the Ordinary of Early county to levy a tax sufficient to supply the paupers of said county with medicines, and for other purposes.

A bill to amend an act to incorporate the town of Norcross, in the county of Gwinnett, and for other purposes.

A bill to amend an act to incorporate the town of Kingston, in Bartow county

A bill to amend section 4026 of Irwin's Code.

A bill to incorporate the town of Clinton, in the county of Jones.

A bill to incorporate the town of Jeffersonville, in the county of Twiggs.

A bill to revive and declare of force and effect in the county of Chattooga, an act to organize a Criminal Court for each county in this State, assented to October 7, 1870.

A bill to provide for the ditching and draining of lands under certain circumstances, was read the third time.

Mr. McMillan moved to amend by providing that the provisions of the bill shall apply and be of force in the county of Habersham only.

The motion prevailed, and the bill as thus amended was passed.

A bill to alter and amend an act assented to October 6, 1868, was read the third time.

A substitute for the same, recommended by the Committee on the Judiciary, was read and passed.

A Senate bill to change the time of holding the Superior Courts of the Brunswick Judicial Circuit, and the county of Towns in the Blue Ridge Circuit, and to add the county of McIntosh to the Eastern Judicial Circuit was read the third time and passed.

A bill to amend an act to incorporate the town of Adairsville was read the third and a substitute therefor, recommended by the Committee on the Judiciary, was read and passed.

The following bills were taken up, and the Senate amendments thereto concurred in :

A bill to alter and amend the several acts incorporating the city of Macon, and for other purposes.

A bill to establish a Board of Commissioners of Roads and Revenue for the county of Habersham.

A bill to amend an act to incorporate the town of Clarkesville, and for the other purposes.

The following Senate bill was read the first time :

A bill for the relief of Ziba King.

The following bills were withdrawn :

A bill to authorize the revision of the jury-box in the county of Twiggs.

A bill to exempt Justices of the Peace and Judicial Notaries Public from jury duty.

A bill to require Justices of the Peace or Judicial Notaries in each Militia District to return to the Receiver of Tax Returns, all persons liable to pay taxes in their districts.

A bill to incorporate an Agricultural Land Grant Board, and for other purposes, was read the third time and laid on the table.

The following bills were read the third time, and indefinitely postponed.

A bill to abolish the District Courts of this State.

A bill to compensate grand and petit jurors of the county of Sumter.

The following bills were read the third time and lost:

A bill for the relief of William Gibson and Lewis De Loach.

A bill to render certain slanders penal, and provide for the punishment of the same.

A bill to regulate the fees of Solicitors General in the Supreme Court.

A bill to amend section 1977 of the Code.

A bill to amend the laws in relation to the punishment of capital offenses.

A bill to require defendants to pay the costs before filing affidavits of illegality.

A bill to declare who shall be jurors in certain cases.

The following Senate bills were read the second time and committed:

A bill to authorize the Ordinary of Pulaski county to issue bonds to build a court-house.

A bill to repeal the act of 1831, requiring Justices of the Peace to act as Road Commissioners in the county of Pulaski, and for other purposes.

A bill to create a new judicial circuit out of the coun-

ties composing the Southern, Macon and Middle Circuits, and for other purposes.

A bill to amend section 1052 of the Code.

A bill to change the time of holding the Superior Courts in the county of Jasper.

A bill to authorize the Ordinary of Rockdale county to levy an extra tax and issue bonds for the purpose of building a court-house for said county

A bill to extend the provisions of the eleventh section of an act, approved February 22, 1850, in relation to Tax Collectors and Receivers in Chatham county to the county of Fulton.

A bill to carry into effect paragraph three, section five, article three of the Constitution of this State.

A bill to incorporate the Flint River Manufacturing Company of Upson county

A bill to amend the charter of the Atlanta & Roswell Railroad Company

A bill to amend sections nine and ten of an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution.

A bill to amend an act incorporating the town of Boston, in Thomas county.

A bill to provide for the taking of testimony by written depositions, in cases not now allowed by law.

A bill to make penal the selling of personal property which has been mortgaged as a security for the payment of debt, and to provide for the punishment of the same.

A bill to amend an act to incorporate the Atlanta & Blue Ridge Railroad, and for other purposes.

A bill to amend an act to fix and define the fees of Ordinaries and Clerks of the Superior Courts in applications for setting apart a homestead.

A bill to amend the attachment laws of the State of Georgia.

A bill to provide for the farming out of the convicts of the Penitentiary of this State, and for other purposes.

A bill to amend an act to amend an act incorporating



the Ocmulgee River Railroad Company, and for other purposes.

A bill to secure counsel fees in certain cases.

A bill for the apportionment of the members of the House of Representatives.

A bill to repeal section 812 of the Code.

A bill to incorporate the Waynman & Franklin Manufacturing Company

A bill to amend section 4429 of Irwin's Revised Code.

A bill to incorporate the Merchants' Mutual Insurance Company of Georgia.

A bill to amend the charter of the Gate City Insurance Company of Atlanta.

A bill to provide for the discharge of the duties of Ordinary of Chatham county, under certain circumstances.

A bill to provide for the payment of insolvent costs, to the county officers of Upson county, and for other purposes.

Mr. Hoge offered the following resolution which was agreed to:

*Resolved*, That the Clerk of this House be, and he is hereby, authorized to employ such an additional number of clerks not to exceed twelve, as may be necessary to keep up with the business of the House.

Leave of absence for the balance of the session was granted Messrs. Killian, Bell, McMillan and Butts, and to Messrs. Netherland, McConnell and McWhorter, for one day each.

The House adjourned till 9 o'clock A. M. to-morrow.

ATLANTA, GEORGIA,  
Saturday, December 9, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Jones.

The Journal of yesterday was read and approved.

Mr. Griffin of Houston moved to reconsider so much of the Journal as relates to the adoption of a resolution, requesting the Governor to order an election for Representative in the county of Sumter, to fill the vacancy occasioned by the death of the late Hon. Wright Brady

On motion of Mr. Bryan, the motion to reconsider was laid on the table.

Mr. Russell moved to reconsider so much of the Journal as relates to the loss of a bill to appropriate money to pay the heirs of the late Colonel Mordecai Sheftall, of Savannah, Georgia.

On motion of Mr. Richards, the motion to reconsider was laid on the table.

Mr. Griffin of Houston offered a resolution directing the Committee on Privileges and Elections to inform this House what action has been taken in the case of contest of Dr. J. R. Simmons, of Sumter, with the Hon. Wright Brady, for a seat as a member on this floor.

Mr. Rawls, Chairman of the Committee on Finance, submitted the following report:

*Mr Speaker:*

The Committee on Finance beg to report that they have had before them and duly considered the following bills:

A bill to authorize the Governor to draw his warrant to refund money to George C. Edwards, of Lee county, which they recommend do pass.

Also, a Senate bill to assist the Georgia Infirmary, which they recommend do pass.

Also, a Senate bill to compensate Ordinaries, Sheriffs and Clerks of the Superior Courts, for certain services, which they recommend do pass.

MORGAN RAWLS,  
*Chairman Finance Committee.*

Mr. Fain, chairman of the Committee on New Counties and County Lines, submitted the following report:

*Mr Speaker :*

The Committee on New Counties and County Lines have had under consideration a bill to be entitled an act to change the lines between the counties of Douglas and Paulding, and between the counties of Douglas and Cobb, which they return without recommendation, at the instance of the author.

J. C. FAIN, *Chairman.*

The following bills were read the third time and passed :

A bill for the relief of George C. Edwards, former Tax Collector of Lee county.

A bill to incorporate the Griswoldville & Jeffersonville Railroad Company.

A bill to incorporate the Steam Road Wagon Company of Georgia.

A bill to authorize the Ordinary and Road Commissioners of the county of Dooly to classify the public roads in said county.

A bill to change the line between the counties of Pickens and Gilmer.

A bill to exempt certain parties from road duty in the county of Pickens.

A bill to authorize and require the Tax Collector of the county of Pierce to receive jury scrip in payment of taxes due said county.

A bill to make it a misdemeanor for any person, in the night time, to deliver or receive the products of a farm in the county of Pulaski.

A bill to amend an act, passed March 13, 1869, entitled an act to protect the planters of this State from imposition in the sale of fertilizers.

A bill to amend an act to extend the corporate limits of the town of Hartwell.

A bill to prohibit the granting of license to retail spirituous liquors within the corporate limits of the city of Gainesville.

A bill to amend section 635 of the Code of Georgia.

A bill to regulate the levying of taxes in the county of Pierce, and for other purposes.

A bill to provide for selling horses, hogs or cattle that are levied on and claimed when the levying officer has to keep said animals until the trial of said claim.

A bill to incorporate an insurance company in the city of Atlanta.

A bill to change the line between the counties of Fulton and Campbell.

A bill to allow William M. Hunnicutt, of Gwinnett county, to peddle without license.

A bill to amend the laws in relation to receiving jury certificates in payment of county taxes in the counties of White and Habersham.

A bill to change the fees of Sheriffs in the keeping of live stock when levied on.

The following bills were read the third time and lost:

A bill to amend section two, article four of the Constitution of this State.

A bill to revise the jury-boxes throughout the State.

A bill to prescribe by law for jurors in Stewart county.

A bill prescribing who shall be jurors in certain cases, in the courts of this State.

A bill to repeal the school law of 1870.

A bill to authorize the Ordinaries of the various counties in this State, to order the sale of the homestead in certain cases.

A bill to secure the costs of the officers of court in certain cases.

A bill to make it unlawful for the Mayor and Council of any incorporated city or town in this State, to levy tax on cotton sales made in said cities or towns.

A bill to submit to the legal voters of Georgia, the question of abolishing fences.

A bill to amend section 1626 of the Code.

A bill to authorize the investment of trust funds upon certain terms and conditions.

A bill to amend an act to establish a system of public instruction.

The following message was received from the Executive Department through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker:*

♦ His Excellency the Governor has approved and signed the following act, to-wit:

An act to amend an act for the better regulation and government of the town of Sparta, in the county of Hancock, and the acts amendatory thereof, and for other purposes.

The following message was received from the Executive Department through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker:*

His Excellency the Governor has approved and signed the following acts, to-wit:

An act to incorporate the Atlantic, Fort Valley & Memphis Railroad Company, and for other purposes therein mentioned.

Also, an act to authorize the Ordinary of Gwinnett county to issue bonds for the purpose of raising money to build a court-house.

Also, an act to amend an act to incorporate the Newnan & Americus Railroad Company, and for other purposes. Assented to August 27, 1870.

The following message was received from the Senate, through Mr. Little, Secretary *pro tem.* thereof:

*Mr Speaker :*

The Senate has passed the following bills, to-wit:

A bill to be entitled an act to organize a Land Grant Board of Commissioners for the State of Georgia, and for other purposes.

Also, a bill to be entitled an act to amend an act, passed October 24, 1870, entitled an act to protect the people of this State in the sale of kerosene oil.

Also, a bill to be entitled an act to amend the several acts incorporating the town of Cartersville, in Bartow county, Georgia, and to incorporate the same as a city, under the name and style of the city of Cartersville, and for other purposes therein named.

Also, the following House bills, to-wit:

A bill to be entitled an act to promote the propagation of shad fish in the Savannah river, and to impose a penalty for fishing for said fish in said river, on Sunday or Monday

Also, a bill to be entitled an act to incorporate the Commercial Bank of Albany, by a constitutional majority of yeas 30, nays none.

Also, a bill to be entitled an act to alter and amend section 3895 of Irwin's Revised Code.

Also, a bill to be entitled an act to carry into effect article three, section six, paragraph five of the Constitution of Georgia, to protect the interest of the State in extending aid to railroads, and for other purposes.

I am instructed to inform the House of Representatives that the Senate have passed a resolution, to prolong the session of this General Assembly, until and including Saturday, December 16, 1871.

Also, a resolution requesting Congress to make an

appropriation to reimburse the city of Savannah, for the expenditures made by said city for improving the navigation of the harbor of Savannah.

The following bills were withdrawn :

A bill to amend an act to facilitate the sale of real estate in Georgia, and encourage immigration thereto.

A bill to change the line between the counties of Douglas and Paulding, and between the counties of Douglas and Cobb.

A bill to compensate the grand and petit jurors of the county of Pike was read the third time and indefinitely postponement.

The following bills were read the third time and laid on the table :

A bill to prohibit the sale and purchase, in Jefferson county, of agricultural products after dark.

A bill to amend section 3599 of the Code.

A bill to change the line between the counties of Forsyth and Milton.

A Senate bill to amend an act to grant to the Savannah, Seaboard & Skidaway Railroad Company the right to construct a railway through Abercorn street.

A Senate bill for the relief of Ziba King was read the second time and committed.

The following message was received from the Senate, through Mr. Little, their Secretary *pro tem* :

*Mr Speaker :*

The Senate has passed the following resolutions, which I am ordered to transmit forthwith to the House of Representatives, to-wit :

A resolution ordering printed copies of the election bill to fill the unexpired term of R. B. Bullock, to be sent by the Secretary of State to each Ordinary, Clerk of the Superior Court and Justice of the Peace throughout the State.

Also, a resolution that a joint committee of two from the Senate and three from the House of Representatives, be appointed to investigate charges made by the public press against a member of this General Assembly, and have appointed, on the part of the Senate, Messrs. Simmons of the Twenty-Second District, and Hillyer of the Thirty-Fifth District.

Also, a resolution that a joint committee of two from the Senate and three from the House of Representatives, be appointed to investigate the necessity of aiding the Atlantic & Gulf Railroad in extending said road from Bainbridge to Mobile, and to report to this or the next session of the General Assembly, and have appointed, on the part of the Senate, Messrs. Bruton and Nicholls.

A bill to allow an exemption from taxation in favor of certain maimed and disabled persons, and for other purposes, was read the third time.

Mr. Wofford of Bartow moved to amend by adding a proviso, that the bill shall not apply to any person whose taxable property is as much as three thousand dollars or over.

Mr. Head moved to include in the provisions of the bill, all widows who are heads of families.

The motion of Mr. Wofford prevailed, that of Mr. Head was lost, and bill as amended was then passed.

A bill to levy and collect a tax from the owners of dogs in this State, and to prescribe a penalty in case of failure or neglect to give in and pay said tax, was read the third time.

Mr. Hunter offered a substitute for the first section, which was agreed to.

A motion to lay on the table was made by Mr. Simmons of Gwinnett, and withdrawn.

Mr. Hunter moved to amend by providing that the bill should apply to the county of Brooks only

Messrs. Glover, Hillyer and Allred, moved to include the counties of Sumter, Camden and Pickens.



On motion of Mr. Pierce, the bill was recommitted to the Committee on Agriculture and Manufactures.

The rules were suspended, and a Senate resolution to appoint a joint committee of two from the Senate and three from the House to investigate charges by the public press against a member of the General Assembly, was taken up and concurred in.

The following gentlemen were appointed on said committee, as members thereof, from the House: Messrs. Hoge, Bacon, and W. D. Anderson.

A Senate resolution ordering printed copies of the election bill to fill the unexpired term of R. B. Bullock, to be distributed to the Ordinaries, Clerks of the Superior Courts, and Justices of the Peace of this State, was also taken up and concurred in.

Mr. Wofford of Bartow offered a resolution that the Hon. Benjamin Conley, exercising the Executive powers of the government, be informed that both houses of the General Assembly have passed resolutions to prolong the present session of the General Assembly to, and including Saturday, December 16, 1871, which was agreed to.

On motion, the Clerk was instructed to inform the Senate of the adoption of said resolution.

The following Senate bills were read the third time and passed:

A bill to incorporate the Hawkinsville & Eufaula Railroad Company.

A bill to alter and amend section 649 of the Revised Code.

Leave of absence was granted Messrs. Colby and Murphy of Harris, for a few days, on account of sickness, to Mr. Floyd, for one day, and to Mr. Clower, for the balance of the session.

A Senate bill to create a county court in each county

of this State, except such counties as are therein excepted, was taken up and read the third time.

Pending action thereon, the House took a recess until 3 o'clock P. M.

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AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

The following message was received from the Senate, through Mr. Little, their Secretary *pro tem* :

*Mr. Speaker :*

The Senate has passed the following resolution, which I am directed to transmit forthwith, to-wit :

A resolution appointing a joint committee to wait upon the Governor, and notify him of the action of the General Assembly in relation to the prolongation of the present session, and the President of the Senate has appointed Messrs. Kibbee and Brown on the part of the Senate.

On motion, the rules were suspended, the foregoing resolution taken up and concurred in, and Messrs. Hall of Upson, Pou and Cumming appointed as such committee on the part of the House.

The Senate bill to create a County Court in each county of this State, except such counties as are therein excepted, being the unfinished business of this morning, was resumed.

Mr. Fain moved to amend by striking out of the first section the words "Murray," "Gordon" and "Whitfield," which counties had been excepted from the operation of the bill as passed by the Senate, so

that the bill would apply and be of force in said counties.

The motion prevailed.

Mr. Snead moved to amend by excepting the county of Richmond from the operation of the clause excepting counties in which there are City Courts, which motion prevailed.

Mr. Rawls moved to amend by excluding from the operation of the bill the counties of Effingham, Montgomery, Emanuel and Clinch, which motion, after being amended by adding thereto, respectively, the counties of Charlton, Sumter, Telfair, Mitchell, Irwin, Fayette, Colquitt, Worth, Glascock, Fulton, Appling, Taylor, Pike, Jefferson, Cobb, Bartow, Wilkinson, Laurens, Pickens, Randolph, Tatnall, Paulding, Dawson, Lumpkin, White, DeKalb, Butts and Madison, prevailed.

Mr. Lang offered, as an amendment, an additional section, which was agreed to, and the bill, as amended, was then read and passed.

The following message was received from the Senate through Mr. Little, the Secretary *pro tem.* thereof:

*Mr. Speaker :*

The Senate has passed, over the veto of his Excellency the Governor, by a constitutional majority of yeas 25, nays 10, the following act, to-wit:

An act to protect the people of this State against the illegal and fraudulent issue of bonds, and for other purposes.

On motion, the rules were suspended, and the foregoing act was taken up.

Mr. Scott moved to pass the same, notwithstanding the Executive veto.

A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs—

Anderson, Wm. D.,	Glover,	Netherland,
Anderson, Wm. P.,	Goldsmith,	Palmer,
Bacon,	Goodman,	Patillo,
Baker of Bryan,	Graham,	Paulk,
Ballanger,	Gray,	Paxton,
Barksdale,	Griffin of Twiggs,	Payne,
Barron,	Guerry,	Pentecost,
Beaseley,	Hall of Meriwether,	Pierce,
Berrien,	Hall of Upson,	Pou,
Booth,	Hammond,	Rawls,
Braddy,	Hancock,	Renfro,
Brewton of Tatnall,	Head,	Richards,
Bryan,	Heidt,	Riley,
Bunn,	Hoge,	Roundtree,
Carlton,	Howell,	Russell,
Cato,	Hooks,	Rutherford,
Chancey,	Hudson,	Sargent,
Chastain,	Hughes,	Scott,
Clark of Richmond,	Hunter,	Sellers,
Clark of Troup,	Jackson,	Simmons of Gwinnett,
Cleghorn,	Jenkins,	Slaton,
Clements,	Johnson of Clay,	Smith of Oglethorpe,
Cloud,	Johnson of Spalding,	Snead,
Cody,	Jones of Hart,	Spence,
Collins,	Kelly,	Stovall,
Converse,	Knowles,	Summers,
Crittenden,	Lamkin,	Summerlin,
Cumming,	Lang,	Tarver,
Davis of Newton,	Lipsev,	Taylor,
Dell,	Mansfield,	Trammell,
Edwards,	Martin,	Watters,
Emerson,	Mattox,	West,
Etheridge,	McNeal,	Whatley,
Fain,	Meadows,	Wilson,
Farmer,	Moreland,	Wood,
Flynt,	Morrison,	Woodward.
Franklin,	Murphy of Burke,	Wynn.

Those voting in the negative are Messrs.—

Atkinson,	Dukes,	Ormond,
Battle,	Floyd,	Putney,
Blue,	Griffin of Houston,	Richardson,
Bruton of Decatur,	Hillyer,	Simmons of Houston,
Brown,	Joiner,	Smith of Coweta,
Campbell,	Oliver,	Williams.
Clower,	O'Neal,	

Yeas, 117. Nays, 20.

So the bill was passed, notwithstanding the Executive veto, by the requisite constitutional majority.

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr. Speaker:*

His Excellency the Governor has approved and signed the following acts, to-wit:

An act to provide for the levying and collecting a tax for the payment of bills for insolvent criminal costs due Benjamin L. Cole, late Sheriff of Chatham county, and William H. Bullock, late Clerk of the Superior Court of Chatham county.

Also, an act to incorporate the Grand Bay Paper Manufacturing Company

Also, an act to authorize the corporate authorities of the city of Dalton to issue bonds for educational purposes.

Also, an act to authorize a counter-showing to a motion for a continuance in the courts of this State.

Also, an act to incorporate the town of Tilton, in Whitfield county, and to appoint Commissioners for the same, and for other purposes.

Also, an act to be entitled an act to make it legal for Sheriffs, Coroners and other levying officers to sell certain kinds of personal property, without exposing the same before the court-house door at the time of sale.

Also, an act to change the law of distributions, so far as effects the separate property of married women.

Also, an act to authorize the Mayor and Council of the city of Cuthbert to issue bonds for educational purposes, and to assess and collect taxes to pay the same.

Also, an act to authorize the Ordinary of Cobb county to issue and negotiate bonds, and provide for the redemption thereof by taxation, for the purpose of

building and furnishing a court-house in the city of Marietta, in said county of Cobb, and for other purposes.

Also, an act to authorize the town Council of the town of Calhoun to aid in the construction of the North Georgia & North Carolina Railroad.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr Speaker :*

His Excellency the Governor has approved and signed the following acts, to-wit:

An act for the election and creation of a Board of County Commissioners for the county of Screven, define their duties, and for other purposes.

Also, an act to amend an act entitled an act to incorporate the town of Clarksville, in the county of Habersham, to appoint commissioners for the same, and for other purposes, approved September 16, 1870.

Also, an act to authorize the corporate authorities of the city of Dalton to purchase and donate to the Selma, Rome & Dalton Railroad Company, a site upon which to erect the machine shops of said company

Also, an act to prevent the sale of spirituous liquor within one mile of the Clements Institute, of Montgomery county, and for other purposes.

Also, an act to be entitled an act to authorize the Tax Collector of Madison county to receive certain jury certificates for services as jurors, rendered in said county, in payment of all taxes due said county, and for other purposes.

Also, an act to amend an act assented to the 31st December, 1838, entitled an act to establish and incorporate a Medical College, in the city of Savannah, and to explain an act assented to the 21st December, 1857, entitled an act to extend aid to the Savannah Medical College.

Mr. Craig, Chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker :*

The Committee on Enrollment reports as duly enrolled, and ready for the signature of the Speaker of the House of Representatives, the following bills, to-wit :

A bill to amend the acts relative to fees of the Clerk of the Superior Court of Chatham county, and the Clerk of the City Court of Savannah, and for fees of the Sheriff of Chatham county, and Sheriff of the City Court, of Savannah, Georgia, unprovided for, and to point out the manner of collecting the same.

Also, a bill to be entitled an act to authorize the Tax Collector of Madison county to receive certain jury certificates, for services as jurors rendered in said county, in payment of all taxes due said county, and for other purposes.

Also, a bill to be entitled an act to make it legal for Sheriffs, Coroners and other levying officers, to sell certain kinds of personal property, without exposing the same before the court-house door at the time of sale.

Also, a bill to be entitled an act to authorize a counter showing to a motion for a continuance in the courts of this State.

Also, a bill to change the law of distributions, so far as effects the separate property of married women.

Also, a bill to authorize the Mayor and Council of the city of Cuthbert to issue bonds for educational purposes, and to assess and collect taxes to pay the same.

Also, a bill to amend and alter and add to the several acts incorporating the town of Calhoun.

Also, a bill to incorporate the Grand Bay Paper Manufacturing Company.

Also, a bill to incorporate the town of Tilton, in

Whitfield county, and to appoint commissioners for the same, and for other purposes.

Also, a bill to amend an act to incorporate the Newnan & Americus Railroad Company, and for other purposes. Assented to August 27, 1870.

Also, a bill to change the line between the counties of Carroll and Douglas, and to add a portion of the county of Douglas to the county of Carroll, and for other purposes therein mentioned.

Also, a bill to be entitled an act to authorize the Ordinary of Randolph county to issue bonds of said county for the building of a new court-house, and for other purposes.

Also, a bill to authorize the Ordinary of Cobb county to issue and negotiate bonds, and provide means for the redemption thereof, by taxation, for the purpose of building and furnishing a court-house in the city of Marietta, in said county of Cobb, and for other purposes.

Also, a bill to amend an act for the better regulation and government of the town of Sparta, in the county of Hancock, and the acts amendatory thereof, and for other purposes.

Also, a bill to provide for the levying and collecting a tax for the payment of bills for insolvent criminal costs due Benjamin L. Cole, late Sheriff of Chatham county, and William H. Bullock, late Clerk of the Superior Court of Chatham county

Also, a bill to prevent the sale of spirituous liquors within one mile of the Clements Institute, of Montgomery county, and for other purposes.

Also, a bill for the election and creation a Board of County Commissioners for the county of Screven, define their duties, and for other purposes.

Also, a bill to incorporate the Atlantic, Fort Valley & Memphis Railroad Company, and for other purposes therein mentioned.

Also, a bill to amend an act assented to the 31st December, 1838, entitled an act to establish and incor-



porate a Medical College in the city of Savannah, and to explain an act assented to the 21st December, 1857, entitled an act to extend aid to the Savannah Medical College.

Also, a bill to amend an act entitled an act to incorporate the town of Clarksville, in the county of Habersham; to appoint commissioners for the same, and for other purposes, approved September 16, 1870.

Also, a bill to alter and amend section 3895 of Irwin's Revised Code.

Also, a bill to promote the propagation of shad fish in the Savannah River, and to impose a penalty for fishing for said fish in said river on Sunday and Monday.

Also, a bill to carry into effect article three, section six, paragraph five of the Constitution of the State of Georgia, to protect the interest of the State in extending aid to railroads, and for other purposes.

Also, a bill to amend an act entitled an act to alter and amend the several acts incorporating the city of Macon, approved December 27, 1847, and the several acts amendatory thereto, to grant additional powers to the Mayor and Council of the city of Macon, and for other purposes.

H. L. W. CRAIG,

*Chairman Enrolling Committee:*

The Senate resolution to appoint a joint committee of two from the Senate and three from the House to investigate and report upon extending the Atlantic & Gulf Railroad to Mobile, was taken up and concurred in.

The following Senate bills were read the third time and passed:

A bill to provide for the payment of insolvent costs to the county officers of Upson county, and for other purposes.

A bill to incorporate the Waynman & Franklin Manufacturing Company of Upson county.

Leave of absence was granted to Messrs. Reid, Lewis and Baker of Pike, until Monday next; to Messrs. Field, Allred and Converse, for a few days, and to Messrs. Booth and Paxton, for the balance of the session; all said leaves to take effect and begin this day.

On motion, the House adjourned until 10 o'clock A. M. on Monday next.

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ATLANTA, GEORGIA,  
Monday, December 11, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Heidt.

The roll was called and the following members answered to their names:

Anderson, Wm. D.	Cloud,	Hancock,
Anderson, Wm. P.	Clower,	Head,
Bacon,	Cody,	Heidt,
Baker of Bryan,	Collins,	Hoge,
Baker of Pike,	Converse,	Howell,
Ballanger,	Craig,	Hooks,
Barksdale,	Crittenden,	Hudson,
Barron,	Cumming,	Hughes,
Battle,	Davis of Newton,	Hunter,
Beaseley,	Dell,	Jackson,
Berrien,	Edwards,	Jenkins,
Bowie,	Emerson,	Johnson of Clay,
Braddy,	Etheridge,	Johnson of Spalding,
Brewton of Tatnall,	Farmer,	Jones of Gwinnett,
Bryan,	Flynt,	Jones of Hart,
Bunn,	Franklin,	Jones of Terrell,
Carlton,	Glover,	Kelly,
Cato,	Goldsmith,	Knowles,
Chancey,	Graham,	Lamkin.
Chastain,	Gray,	Lang,
Clark of Richmond,	Griffin of Twiggs,	Lipsey,
Clark of Troup,	Guerry,	Mansfield,
Cleghorn,	Hall of Upson,	Martin,
Clements,	Hammond,	Mattox,

McConnell,	Rawls,	Summers,
McNeal,	Reid,	Summerlin,
Meadows,	Renfro,	Tarver,
Moreland,	Richards,	Taylor,
Morrison,	Riley,	Trammell,
Murphy of Burke,	Russell,	Watters,
Netherland,	Rutherford,	West,
Nutting,	Sargent,	Whatley,
O'Neal,	Scott,	Williams,
Palmer,	Sellers,	Wilson,
Patillo,	Simmons of Gwinnett,	Wofford of Banks,
Paulk,	Simmons of Hall,	Wofford of Bartow,
Peeples,	Slaton,	Wood,
Pentecost,	Smith of Oglethorpe,	Woodward,
Phillips,	Snead,	Wynn,
Pierce,	Spence,	Mr. Speaker.
Pou,	Stovall,	

Present, 121.

The Journal of Saturday was read and approved.

Mr. Phillips, chairman of the Committee on Privileges and Elections, submitted the following report:

*Mr Speaker :*

The Committee on Privileges and Elections beg leave to report, in answer to a resolution adopted December 9, 1871, calling upon your committee to inform the House why we have not reported in the contested election case of Sumter county, between Dr. J. R. Simmons, contestant, and Wright Brady, contestee, that we have not received any resolution or papers in regard to the case, and we are informed by the Clerk that none has been adopted by the House, or referred to your committee for their consideration.

R. W. PHILLIPS, *Chairman.*

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has passed the following bill of the House of Representatives, with certain amendments, in which they ask the concurrence of the House of Representatives, to-wit:

A bill for raising a revenue, and to appropriate money for the use of the government, and to make certain appropriations, and for other purposes.

The following members appeared, and asked leave to have their names marked "present," on the roll which had been previously called :

Messrs. Atkinson, Blue, Bruton of Decatur, Brown, Campbell, Colby, Dukes, Floyd, Hillyer, Joiner, Oliver, Ormond, Putney, Richardson, Simmons of Houston, and Smith of Coweta.

Mr. Davis of Newton, Chairman of the Committee on Agriculture and Manufactures, is instructed to make the following report, to-wit:

*Mr. Speaker :*

The Committee on Agriculture and Manufactures, to whom was recommitted a bill to be entitled an act to levy and collect a tax from the owners of dogs in this State, and to prescribe a penalty in case of failure or neglect to give in and pay said tax, have had the same under consideration, and a majority of the Committee offer the accompanying bill as substitute for the original bill and amendments thereto, and recommend that it do pass.

JOHN B. DAVIS, *Chairman*.

Mr. Bryan of Henry submitted the following minority report:

*Mr. Speaker :*

The Committee on Agriculture and Manufactures have had under consideration a bill to be entitled an act to levy and collect a tax from the owners of dogs in this State, and to prescribe a penalty in case of failure or neglect to give in and pay said tax, and a majority of the gentlemen composing said committee report back said bill with a favorable recommendation.

A minority of said committee dissents, and think.

that the passage of this bill would place the General Assembly before the country in the attitude of an unconstitutional Legislature. Article one, section twenty-seven of the Constitution provides that taxation on property shall be *ad valorem* only. It is presumed to be undeniable that dogs are property, and this bill seeks to impose a tax on the same without valuation. But it is said that a specific tax can be levied on dogs as on whisky and on other matters of taxation. The Constitution, in article six, section three, authorizes the General Assembly to assess a special tax only on shows and exhibitions, and the sale of spirituous and malt liquors. Article one, section twenty-eight, authorizes the General Assembly to grant the power of taxation to county authorities and municipal corporations, to be exercised within their several territorial limits. It may be that such power of taxation might be granted to [a] county [to] be exercised in some way to remedy the evils sought to be remedied by this bill, but it is questionable, even in such cases, whether the General Assembly can grant any power under this act and section which is withheld from itself by other portions of the Constitution. As article six, section three grants to the General Assembly the authority to assess a special tax on shows, on exhibitions, and on the sale of spirituous and malt liquors, it is plain that said authority can extend no further than is herein expressly provided. We therefore recommend that the bill do not pass.

Respectfully submitted.

(Signed)

GEORGE W. BRYAN.

A House bill for raising a revenue, and to appropriate money for the use of the government, and to make certain appropriations, and for other purposes therein mentioned, was taken up, and the Senate amendments thereto concurred in.

The Speaker announced the following committee to report upon extending the Atlantic & Gulf Railroad

to Mobile: Messrs. Kelly of Chatham, Hunter of Brooks, Converse of Lowndes.

Mr. Hoge offered a resolution declaring that this day was included in the constitutional term of forty days, because the last of said days fell on the Sabbath.

The rules were suspended, and the resolution agreed to, and ordered to be transmitted to the Senate forthwith.

Leave of absence was granted Mr. Battle for the balance of the session, on account of sickness in his family.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bill of the House, to-wit:

A bill to be entitled an act to amend an act entitled an act to authorize the Mayor and Council of the city of Atlanta to provide for the introduction of water-works in said city, and for other purposes, approved September 23, 1870, with an amendment, in which they ask the concurrence of the House.

A Senate bill to provide for the farming out of the convicts of the Penitentiary, and for other purposes, was read the third time.

Mr. Hall of Upson moved to amend by inserting after the word, "dollars," in the first section, the following words: "Except in cases where the term of service of any convict expires, or is pardoned, before a year, then a *pro rata* proportion of said twenty-five dollars for the time so rendered by said convicts."

The motion prevailed.

Mr. Bryan moved to amend the first section, by inserting before the word, "years," the words, "less than one nor more than two," which motion prevailed.

Mr. Hall of Upson moved to amend the sixth section

by striking out the word "May," and inserting the word, "February "

The motion prevailed.

Mr. Dell moved to amend the same section by striking out the words, "three months," and inserting the words, "twenty days."

The motion prevailed, and the bill, as amended, was then passed.

On motion of Mr. Heidt, the rules were suspended, and a Senate bill to amend an act to grant to the Savannah, Skidaway & Seaboard Railroad Company the right to construct a railway through Abercorn street, was taken up.

Mr. Heidt moved to amend by striking out the words, "Abercorn street," and everything in the bill relating to said street.

The motion prevailed, and the bill, as thus amended, was passed.

Mr. Bacon offered a resolution, instructing the chairman of the Auditing Committee to sign no certificate for the pay of any member for any day's service not yet rendered, and directing the Treasurer not to pay on any such certificate the sum therein specified, until the expiration of the time certified to, which was agreed to.

The following Senate bills were read the third time, and passed:

A bill to create a new Judicial Circuit out of the counties composing the Southern, Macon and Middle Circuits, and for other purposes.

A bill to change the line between the counties of Greene and Morgan.

A bill to amend the law establishing the Police Court of the city of Savannah.

A bill to extend the provisions of the eleventh section of an act, approved February 22, 1850, in relation to Tax Collectors and Receivers of Chatham county, to the county of Fulton.

A bill to provide for sale of property in this State to secure loans and other debts.

A bill to provide for the discharge of the duties of Ordinary of Chatham county under certain circumstances therein mentioned.

A bill to authorize the Ordinary of Cherokee county to issue bonds of said county for the purpose of building a court-house.

A bill to amend an act entitled an act to amend an act incorporating the Ocmulgee River Railroad Company, and for other purposes.

A bill to require the Ordinaries of the several counties in this State, in issuing orders on the County Treasurer, to specify out of that fund the same shall be paid.

A bill to provide for the payment of the debt of Clarke county.

A bill to incorporate the Flint River Manufacturing Company of Upson county.

A bill to incorporate the Merchants' Mutual Insurance Company of Georgia.

A bill to amend an act to incorporate the town of Hawkinsville, in the county of Pulaski.

A bill to amend an act to prescribe the practice in cases of injunction and other extraordinary remedies in equity, and the manner of taking judgments thereon to the Supreme Court.

A bill to allow plaintiffs in execution to recover damages in certain cases.

A bill to repeal an act to amend an act, assented to August 27, 1870.

A bill to amend an act, approved October 27, 1870, to open and construct a railroad from Athens, Georgia, via Clarkesville, in Habersham county, to some point on the Blue Ridge Railroad, near Clayton, by the most practicable route.

A bill to carry into effect paragraph three, section five, article three of the Constitution of the State of Georgia.



A bill to amend section 61 of the Code, in relation to offering rewards for criminals.

A bill to impose certain duties and confer certain powers upon the Ordinary of Union county

A bill to amend an act to incorporate the Atlanta & Blue Ridge Railroad Company, and for other purposes.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has concurred in certain amendments of the House to a bill of the Senate to provide for farming out the convicts of this State, and have disagreed to certain amendments of the House to the sixth section of said bill.

Mr. Hoge moved that the House insist upon the amendments to which the Senate have disagreed, and the motion prevailed.

The following Senate bills were read the third time and lost:

A bill to make certified extracts from the books and records of railroad companies and chartered banks, evidence in certain cases.

A bill to repeal and alter the punishment prescribed in certain sections of the Code.

A bill to repeal an act to organize the District Court, and define its jurisdiction.

A Senate memorial relative to a canal through Georgia, was read and concurred in.

A Senate bill to organize a Land Grant Board of Commissioners for the State of Georgia, and for other purposes, was read the first time.

Mr. Brown offered a resolution in relation to the moving of the United States Flag from the Capitol building, which was unanimously agreed to: commit-

tee appointed thereunder, are Messrs. Brown, Atkinson, and Blue.

A Senate resolution requesting Congress to reimburse the city of Savannah, for certain expenditures, was read and concurred in.

A Senate bill for the relief of Ziba King, was read the third time and laid on the table.

A Senate bill to amend the attachment laws of this State, was read the third time, recommitted and referred to the Committee on the Judiciary

A Senate bill to merge the jurisdiction of courts of law and equity in this State, was read the third time, and recommitted to the Committee on the Judiciary.

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AFTERNOON SESSION, 3 o'clock P. M.

The House reassembled.

A bill relating to fences and for the protection of crops, was read the third time.

Mr. Berrien moved to amend by providing that this bill shall apply to and be of force in the county of Burke only

Mr. Berrien moved to amend the fifth section by providing that the election therein provided for shall be held on the third Tuesday in May next.

Both amendments were agreed to respectively, and the bill as thus amended was passed.

Mr. Jackson offered a resolution that no further leave of absence be granted, except for providential cause, which agreed to.

The following Senate bills were read the third time and passed :

A bill to authorize the Ordinary of Rockdale county

to levy an extra tax and issue bonds for the purpose of building a court-house.

A bill to amend section 1052 of the Revised Code.

A bill to provide the mode of adjudicating the rights of parties under the seventh article of the Constitution.

A bill to provide for taking bonds of public officers and qualifying them.

A bill to repeal section 812 of Irwin's Code, and to prescribe the mode of taxing shares in banks or other corporations.

A bill to amend the charter of the Atlanta & Roswell Railroad Company

A bill to amend sections nine and ten of an act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution.

A bill to incorporate the LaGrange & Barnesville Railroad Company

A bill to change the time of holding the fall term of Lee Superior Court.

A bill to amend section 4251 of the Code.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has passed the following bills, to-wit:

A bill to be entitled an act to make the employment of any servant whatever during his or her term of service illegal, and declare the same a misdemeanor.

A bill to be entitled an act to incorporate the Griffin & Columbus Railroad Company, and for other purposes.

Also, a bill to be entitled an act to incorporate the Atlanta & Dahlonega Narrow-Gauge Railway Company

Also, a bill to be entitled an act to alter and amend section 3652 of Irwin's Revised Code.

Also, a bill to be entitled an act to incorporate an

insurance company in the city of Atlanta, to be called the Georgia Reliable Insurance Company.

Also, a bill to be entitled an act to repeal an act incorporating the town of Gainesville, under the name and style of the city of Gainesville, approved October 27, 1870, and to incorporate said town, and for other purposes.

Also, a bill to be entitled an act to authorize executors, administrators and agents to foreclose liens, etc.

Also, the following House bills, to-wit :

A bill to amend an act to incorporate the proprietors of the Augusta Canal, and to confirm certain ordinances of the City Council of Augusta, therein mentioned, and to punish those who may injure their property, approved December 27, 1845, and to extend the provisions of said act, and to confirm certain ordinances of the City Council of Augusta, relating to said canal.

Also, a bill to allow maimed, indigent and blind persons to peddle in this State without license.

Also, a bill to amend the usury laws of this State.

Also, a bill to require Justices of the Peace and Notaries Public ex-officio Justice of the Peace, to keep dockets, and to exhibit them to the grand juries of their respective counties.

Also, a bill to secure to educational purposes the fund now due to the Department of Education, to fund the same, and for other purposes.

Also, a bill to alter and change the time of holding the Superior Courts in the counties of the Middle Circuit of this State.

Also, a bill to amend the several sections of Irwin's Revised Code from 2716 to 2730, with an amendment, in which they ask the concurrence of the House of Representatives.

The Senate has also passed the following bill of the House of Representatives by a constitutional majority of yeas 27, nays none, to-wit :

A bill to incorporate the Exchange Bank of Macon.

The Senate insists on its disagreement to the amendments of the House of Representatives to the sixth section of a bill to farm out the convicts of the Penitentiary, and for other purposes.

Mr. Hall of Upson moved that the House of Representatives adhere to its amendments to the bill above mentioned, and that a committee of conference be asked of the Senate.

The motion prevailed, and, on motion of Mr. Hall of Upson, the following gentlemen were appointed as such committee on the part of the House: Messrs Hall of Upson, W. D. Anderson, and Bryan.

The following report was submitted:

The committee appointed to inquire into the cause or causes why the Federal flag waving over the capitol had been taken down, report that the Governor ordered the same to be done, because the Legislature is not legally in session.

J. BROWN, *Chairman*,  
A. T. ATKINSON,  
JAMES BLUE.

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has agreed to appoint a committee of conference on the bill of the Senate to farm out the convicts of this State, and has appointed as such committee, on the part of the Senate, Messrs. Kibbee and Candler.

A bill to incorporate the Mechanics' & Traders' Bank of Georgia was read the third time.

The amendment thereto recommended by the Committee on Banks, to-wit: strike out all of the eighth section after the word "liable," in the seventeenth line, and insert in lieu of the portion stricken out, the fol-

lowing words: "for the ultimate payment of the liabilities of said bank in proportion to the number of shares held by such stockholders," was agreed to, and the bill, as amended, put upon its passage.

A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs.—

Anderson, Wm. P.,	Gray,	Palmer,
Baker of Pike,	Griffin of Twiggs,	Patillo,
Barksdale,	Gueerry,	Paulk,
Barron,	Hall of Meriwether,	Payne,
Beaseley,	Hammond,	Pierce,
Berrien,	Hancock,	Pou,
Bowie,	Head,	Reid,
Braddy,	Heidt,	Renfro,
Brewton of Tatnall,	Howell,	Richards,
Bruton of Decatur,	Hooks,	Riley,
Bryan,	Hudson,	Russell,
Bunn,	Hughes,	Sargent,
Cato,	Hunter,	Scott,
Chastain,	Jackson,	Sellers,
Clark of Richmond,	Jenkins,	Simmons of Gwinnett,
Clark of Troup,	Johnson of Spalding,	Simmons of Hall,
Cleghorn,	Jones of Gwinnett,	Snead,
Clements,	Jones of Hart,	Spence,
Cloud,	Jones of Terrell,	Summers,
Cody,	Kelly,	Summerlin,
Collins,	Kennedy,	Tarver,
Converse,	Knowles,	Taylor,
Crittenden,	Lamkin,	Trammell,
Cumming,	Lang,	Watters,
Dell,	Mansfield,	West,
Edwards,	Martin,	Whately,
Etheridge,	Mattox,	Williams,
Farmer,	McConnell,	Wilson,
Floyd,	McNeal,	Wofford of Banks,
Franklin,	Meadows,	Wofford of Bartow.
Glover,	Morrison,	Wood.
Goldsmith,	Murphy of Burke,	Woodward.
Goodman,	Netherland,	Wynn.
Graham,	Nutting,	

Those voting in the negative are Messrs. —

None.

Yeas, 98. Nays, 0.

So the bill was passed by the requisite constitutional majority

The following report was submitted by the joint committee of conference, appointed to consider a bill to provide for the farming out of the convicts of the Penitentiary, and for other purposes:

The committee of conference, appointed by the Senate and House of Representatives, to consider a bill to be entitled an act to provide for the farming out of the convicts of the Penitentiary of this State, and for other purposes, and to report upon the disagreement between the two Houses, as to certain amendments to the sixth section of said bill, beg leave to report that they have had the same under consideration, and recommend that, whenever the word "May" occurs in said section, the same be stricken out, and the word "April" be substituted, and the words, "three month's notice," be stricken out, and the words, "thirty days" substituted therefor.

C. C. KIBBEE,  
M. A. CANDLER,  
*Senate Committee.*  
J. I. HALL of Upson,  
W. D. ANDERSON,  
G. W. BRYAN,  
*House Committee.*

On motion of Mr. Hall of Upson; the report was adopted.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to alter and amend an act to fix the compensation for taking down in writing the evidence on charges of felony.

Also, a bill to amend the charter of the city of Atlanta, providing for the election of Recorder and Auditor.

Also, a bill to repeal section 121 of Irwin's Revised Code.

Also, a bill to legalize the revision of the jury boxes, and for other purposes.

Also, a bill to repeal an act to amend section 3151, part two, title nine, chapter fourteen of the Revised Code.

Also, a bill to change the time of holding the Superior Courts of Richmond county.

Also, a bill to establish a permanent Board of Education and Orphanage for the county of Bibb, and for other purposes.

Also, a bill to establish a city court for the city of Atlanta.

Also, a bill to amend the road laws of this State, so far as relates to the counties of Bibb and Houston.

On motion of Mr. Gray, a bill to exempt land used for agricultural purposes within the corporate limits of a town, city or village from taxation, was taken from the table.

Mr. Gray moved to amend, by inserting the words, "the town of Adairsville," so as to make the bill apply and be of force in said town only. The motion prevailed, and the bill, as thus amended, was read and passed.

The following Senate bills were read the third time and indefinitely postponed:

A bill to repeal section 121 of the Code.

A bill for the apportionment of members of the House of Representatives.

Mr. Hunter gave notice of a motion to reconsider a Senate bill to compensate jurors in Decatur county, was read the third time and laid on the table.



A Senate bill to amend section 4420 of the Code, was read the third time and referred to the Committee on the Judiciary

Leave of absence was granted Mr. Carlton, for the balance of the session, on account of sickness in his family.

The House took a recess until 7 o'clock P. M.

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NIGHT SESSION, 7 o'clock P. M.

The House reassembled.

Mr. Snead offered a resolution in relation to the mileage of Mr. Hillyer, member from the county of Camden.

The rules were suspended, and the resolution was agreed to.

The following were appointed committee under the same: Messrs. Snead, Bacon and Jackson.

Mr. Craig offered a resolution for the appointment of a committee of three to bring up the unfinished business of this House. Agreed to, and the following committee appointed: Messrs. Craig, Johnson of Clay, and Cleghorn.

The Speaker announced the following committee from this House, under the act to protect the people of this State from the illegal and fraudulent issue of bonds, and for other purposes: Messrs. McMillan and Hall of Upson.

Leave of absence was granted Mr. Beaseley, for the balance of the session, for providential cause.

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to change the line between the counties of Warren and McDuffie, and for other purposes.

Also, a bill to amend the charter of the town of Acworth, in the county of Cobb.

Also, a bill more effectually to protect religious worship in the State of Georgia.

Also, a bill to exempt from jury duty all regular licensed physicians who are actually engaged in the practice of their professions.

Also, a bill to incorporate the Mutual Protection Insurance Company of Georgia.

The following report was submitted :

*Mr. Speaker :*

The joint committee under a resolution of the two Houses to investigate charges made in the public prints that a member of the General Assembly had received a fee of \$500, to influence his action on a matter pending before it, beg leave to report :

That they have given the matter a thorough investigation, and find that the story evidently originated in a mistake, and that the transaction to which the rumor evidently referred was entirely innocent, and the member involved free from blame. There was a check passed to a member for \$500, but it was in part payment for a lot of land sold by the member to the party paying him the check, and had no connection whatever with any measure pending before the Legislature, and the person buying the land is not and has not been, either remotely or directly, concerned in any legislation pending or contemplated before either body, and having fully discharged their duty, your committee ask to be discharged.

T. J. SIMMONS,  
GEO. HILLYER,  
E. F. HOGE,  
W. D. ANDERSON,  
A. O. BACON.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has concurred in a resolution of the House of Representatives relative to the adjournment of the General Assembly, and I am directed to transmit the same forthwith to the House.

A Senate bill to repeal an act to provide for an election, and to alter and amend the laws relating to holding elections, was read the third time and lost.

A Senate bill to amend the laws of this State relating to *habeas corpus*, was read the third time.

Mr. Graham moved to amend by striking out the word "capital" where it occurs before the word "felonies."

The motion prevailed, and the bill as thus amended, was passed.

Mr. Dell gave notice of a motion to reconsider the passage of this bill to-morrow.

A House bill to alter and amend the several sections of Irwin's Revised Code from section 2716 to 2730, both inclusive, was taken up, and the Senate amendments thereto concurred in.

A Senate bill to amend an act to authorize the Ordinary of Lumpkin county to issue bonds, was read the third time and laid on the table.

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to alter and amend the several acts incorporating the town of Sandersville.

Also, a bill to consolidate the railroad companies, known as the Chattanooga Coal & Iron Railroad and the Iron Railway Companies.

Also, a bill to authorize Sheriffs and other levying officers of Miller county to collect advertising fees and cost, and for other purposes.

Also, a bill to authorize the Mayor and City Council of LaGrange to issue bonds to aid in building railroads, and for other purposes.

The following message was received from the Executive Department, through Mr. Atkinson, Secretary thereof, to-wit:

*Mr Speaker :*

His Excellency the Governor has approved and signed the following acts, to-wit:

An act to alter and amend section 3895 of Irwin's Revised Code.

Also, an act to alter and amend an act entitled an act to amend and alter the charter of the city of Columbus. Approved March 8, 1866.

Also, an act to incorporate the Macon & Knoxville Railroad Company, and for other purposes therein named.

Also, an act to incorporate the Commercial Bank of Albany

Also, an act to carry into effect article three, section six, paragraph five, of the Constitution of the State of Georgia, to protect the interest of the State in extending aid to railroads, and for other purposes.

Also, an act to establish a Board of Commissioners of Roads and Revenue for the county of Habersham, to define their duties, and for other purposes therein named.

Also, an act to be entitled an act to authorize the Ordinary of the county of Randolph to issue county bonds, in the sum of not more than \$20,000, for the building of a new court-house, and for other purposes.

Also, an act to incorporate the LaGrange Banking & Trust Company.

Also, an act to amend the acts relative to fees of the

relative to fees of the Clerk of the Superior Court of Chatham county, and the Clerk of the City Court of Savannah, Georgia, and for fees of the Sheriff of Chatham county, and Sheriff of the City Court of Savannah, Georgia, unprovided for, and to point out the manner of collecting the same.

The following Senate bills were read the third time and indefinitely postponed :

A bill to amend an act, assented to December 18, 1838, to incorporate a medical college in the city of Savannah.

A bill to make it a penal offense for any person retailing spirituous liquors in this State to sell or furnish any such liquors to any minor without the written consent of the parent or guardian of such minor.

Mr. Gray gave notice that he would move a reconsideration of the indefinite postponement of the last mentioned bill to-morrow.

The following Senate bills were also read the third time and indefinitely postponed :

A bill to secure counsel fees in certain cases.

A bill to authorize married women to sue for and recover damages from any person selling their husbands liquor while intoxicated.

On motion, the session was extended until 10 o'clock P. M.

The following Senate bills were read the third time and lost :

A bill to make slander a criminal offense.

A bill to amend section 3646 of Irwin's Revised Code.

A bill to prescribe the manner of incorporating documentary evidence in bills of exceptions.

The following House bills were withdrawn by Mr. Nutting, the author thereof:

A bill to incorporate the Central Insurance Company of Georgia.

A bill to incorporate the Nutting Cotton Manufacturing Company.

The following Senate bills were read the third time and laid on the table:

A bill to amend an act to fix and define the fees of Ordinaries and Clerks of the Superior Courts in applications for setting apart a homestead.

A bill to amend an act to extend the lien of set off and recoupment, as against debts contracted before the first day of June, 1865, and for other purposes.

A bill to more effectually punish certain unlawful acts of violence.

The following message was received from the Executive Department, through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker:*

His Excellency the Governor has approved and signed the following acts, to-wit:

An act to amend the usury laws of this State.

Also, an act to amend an act entitled an act to alter and amend the several acts incorporating the city of Macon, approved December 27, 1847, and the several acts amendatory thereto, to grant additional powers to the Mayor and Council, and for other purposes.

Also, a resolution declaring the meaning of section fourth, paragraph eighth of the Code of Georgia.

The following Senate bills were read the third time and passed:

A bill to change the time of holding the Superior Courts in the county of Jasper.

A bill to prescribe for suits against joint obligors in the City Court of Savannah.

A bill to create a Board of Roads and Revenue in the county of Dawson.

A bill to incorporate the town of Eastman, and to repeal all previous acts incorporating the same.

A bill to assist the Georgia Infirmary.

A bill to compensate Ordinaries, Sheriffs and Clerks of the Superior Courts for certain services.

A bill to repeal an act to preserve the peace and harmony of this State.

A bill to make it penal to withhold money or personal property belonging to the State of Georgia.

A bill to secure the several counties of the State of Georgia from costs.

A bill to change the line between the counties of Coweta and Troup.

A bill to provide for a County Board of Commissioners for Decatur county

A bill for the relief of Ziba King.

A bill to amend the attachment laws of the State of Georgia.

A bill to authorize the Ordinary of Pulaski county to issue bonds to build a court-house.

A bill to amend the charter of the Gate City Insurance Company of Atlanta, Georgia, and to change its name.

A bill to amend an act incorporating the town of Boston in Thomas county

A bill to limit the time of service of petit jurors in the Superior Courts of Chatham county.

A bill to make penal the selling of personal property which has been mortgaged as a security for the payment of debt, and to provide for the punishment of the same.

A bill to provide for the taking of testimony by written deposition in cases not now allowed by law.

A bill to authorize the local authorities of Chatham

county to change or abolish the road leading from the Isle of Hope to the main road on Skidaway Island.

A bill to require the Judges of the Superior Courts of this State to give in special charge to the grand juries, section 1436 of the Code.

A bill to require the several Judges of this State to give specially in charge to the grand juries, sections 4489, 4490 and 4491 of the Code.

A bill to regulate the practice of the courts before juries, in certain particulars.

A bill to repeal the act of 1831, requiring Justices of the Peace to act as Road Commissioners in the county of Pulaski, and for other purposes.

A bill to abolish the offices of the Western & Atlantic Railroad.

A bill to legalize the subscription of the town of Madison to the Griffin, Monticello & Madison Railroad Company.

A bill to amend an act to incorporate the Wilmington Railroad Company.

A bill to execute the fifteenth section of article one of the Constitution.

A bill to incorporate the town of Luthersville, in Meriwether county.

A bill to authorize the appointment of an auditor, in cases of law and equity involving account.

A bill to legalize the subscription of Indian Springs to the Griffin, Monticello & Madison Railroad Company.

A bill to relieve joint debtors by judgment.

A bill to amend an act to incorporate the Evergreen Cemetery of Bonaventure.

A bill to provide the time of holding the Superior Courts of the Eastern Circuit.

A bill to amend the third section of an act providing for the setting apart of a homestead.

A bill to alter, change and amend an act to incorporate the town of Decatur.

A bill to require Clerks of the Superior Courts to



provide blanks, with printed instructions for taking interrogatories.

A bill to enforce article five, section twelve, paragraph two of the Constitution of 1868.

A bill to incorporate the town of Doraville, in the county of DeKalb.

A bill to provide a remedy by which money or property stolen or fraudulently or unlawfully converted or detained from the State, or the Western & Atlantic Railroad, may be recovered, and for other purposes.

A bill to alter and amend section 4779 of the Revised Code.

A bill to provide for the mode of filling vacancies in the office of Ordinary, which may now or hereafter exist in the several counties of this State.

A House bill to change the line between the counties of Wilkes and Taliaferro, was read the third time and passed.

The following Senate resolutions were taken up, read and concurred in :

A resolution in relation to the removal of the State Library

A resolution in relation to the financial condition of this State.

A resolution relating to a settlement of the late Treasurer, John Jones, with the present Treasurer.

The following\* Senate resolutions were indefinitely postponed :

A resolution in relation to the Finance Committee of the two Houses.

A resolution in relation to the adjournment of the General Assembly.

A resolution in relation to fence laws.

A resolution rescinding a resolution of 1870.

A resolution instructing the Finance Committees of the two houses to report a certain bill.

The following House bills were read the third time and passed:

A bill to reduce the Sheriff's bond of Heard county

A bill to compel non-residents of the county of Worth, who own, herd or pasture sheep in said county, to pay the *ad valorem* tax thereon to the Tax Collector of Worth.

A bill to authorize William J. Taylor, of the county of Heard, to practice medicine so far as relates to cancerous tumors, and to charge for the same.

A bill to amend an act to incorporate the town of Blakely.

A bill to incorporate the Dalton & Southwestern Railroad Company

A bill to incorporate the city of Dawson, in Terrell county.

A bill to create a Board of Commissioners of Roads and Revenue, in the county of Glynn.

A bill to change the time of holding the Superior Courts of Muscogee county

A bill to authorize Nicholas J. Fogarty, of the county of Muscogee, to practice medicine, and to charge for the same.

A bill to provide for and enforce a registration of voters in the county of Chatham.

A bill to provide the mode of payment of costs in criminal cases to Magistrates and Constables of Richmond county.

On motion, the session was extended until 12 o'clock P. M.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker:*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to authorize Tax Collectors of Banks county to receive jury certificates for county tax.

Also, a bill to change the time of holding the Superior Courts of the Macon Circuit.

Also, a bill to change the time of holding the Superior Courts of the county of Gordon.

Also, a bill to amend an act to incorporate the Look-out Mountain Railroad Company, and for other purposes.

The following message was received from the Executive Department through Mr. Atkinson, the Secretary thereof, to-wit:

*Mr. Speaker:*

His Excellency the Governor has approved and signed the following act, to-wit:

An act to consolidate the railroad companies, known as the Chattooga Coal & Iron Railroad and the Trion Railway Companies, and for other purposes.

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has agreed to the following resolution, in which they ask the concurrence of the House of Representative, and I am directed to transmit the same forthwith to the House:

A resolution expressing an opinion of the General Assembly as to the proper construction to be given that portion of the Constitution of the State relative to extending the session of the General Assembly

The resolution was taken up, and Mr. Hoge offered a substitute, which was agreed to, and ordered to be transmitted to the Senate forthwith.

The following House bills were read the third time and lost:

A bill to relieve maimed persons from taxation and jury duty

A bill giving the several Ordinaries of this State power to appoint commissioners of public roads.

A bill to prescribe the manner of enforcing attorneys' liens.

A bill to provide for levying a tax for the payment of insolvent criminal costs in the county of Lee.

A bill to amend the road laws so far as relates to the county of Worth.

A bill to authorize the Governor to order an election in Sumter county.

A bill to entitle F W Dawes to practice medicine.

A bill to increase the pay of jurors in Fannin county.

A bill to provide by law for the division of homesteads in this State.

A bill to amend the road laws of this State.

A bill for the relief of James H. Winn.

A bill to regulate State aid when applied to narrow-gauge railroads.

A bill to prevent the felling of timber in the Conna-sauga river.

A bill to authorize Ordinaries to appoint Constables in certain cases.

A bill for the relief of F M. Lofton.

A bill to amend the laws of this State in relation to fences.

A bill to authorize Douglas county to take stock in the Georgia Western Railroad.

A bill to make it the duty of Tax Collectors to collect agricultural statistics.

A bill to compel owners of wild and unimproved lands to register the same in the county where they lie.

A bill to enforce article three, section six, paragraph five, of the Constitution of this State.

A bill to prescribe who shall be jurors, in the county of Monroe.

A bill to incorporate the town of Butler.

The following House bill was read the third time and indefinitely postponed:

A bill to protect the people of Georgia from the payment of either interest or principal on certain bonds.

The following House bills were read the third time and laid on the table :

A bill to incorporate the People's Savings Bank, of Newnan.

A bill to incorporate the Oglethorpe Fertilizer Manufacturing Company

A bill to protect the people of this State against discrimination in the transportation of freight and passengers, and for other purposes, was read the third time, recommitted and referred to the Committee on the Judiciary.

A House bill for the relief of Catharine S. W. Fleming was withdrawn.

A House bill to repeal an act to incorporate the town of DeSoto, in the county of Floyd, and all amendatory acts thereto, and to incorporate the same *de novo*, was read the third time, and passed, as amended by the report of the Committee on Corporations.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr Speaker :*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bills, to-wit :

A bill to establish a Board of Commissioners of Roads and Revenue for the county of Habersham ; to define their duties, and for other purposes therein named.

Also, a bill to incorporate the Commercial Bank of Albany

Also, a bill for raising a revenue and appropriating money for the use of the government, and to make

certain appropriations, and for other purposes herein mentioned.

Also, a bill to be entitled an act to alter and amend the road laws of this State, so far as relates to the counties of Bibb and Houston, and to authorize and require the Ordinaries of said counties to levy and collect a tax for road purposes.

Also, a bill to amend an act entitled an act to incorporate the Lookout Mountain Railroad Company, and to extend the aid of the State to the same, and for other purposes.

Also, a bill to be entitled an act to change the time of holding the Superior Courts of the county of Gordon.

Also, a bill to amend the usury laws of this State.

Also, a bill to incorporate the LaGrange Banking & Trust Company

Also, a bill to allow maimed, indigent and blind to peddle in this State without license.

Also, a bill to amend an act to authorize the Mayor and Council of the city of Atlanta to provide for the introduction of water-works in said city, and for other purposes, approved September 23, 1870.

Also, a bill to change the line between the counties of Warren and McDuffie.

Also, a bill to be entitled an act to require Justices of the Peace and Notaries Public *ex officio* Justices of the Peace to keep dockets, and to exhibit them to the grand juries of their respective counties.

Also, a bill to be entitled an act to alter and change the time of holding the Superior Courts in the counties of the Middle Circuit of this State.

Also, a bill to be entitled an act to secure to educational purposes the fund now due to the Department of Education, to fund the same, and for other purposes.

Also, a bill to be entitled an act to amend the charter of the city of Atlanta, by prescribing for the election of a Recorder and Auditor, and to prescribe their duties.

Also, a bill to be entitled an act to establish a permanent Board of Education and Orphanage for the county of Bibb, and to incorporate the same, and to define its duties and powers, and for other purposes.

Also, a bill to be entitled an act to repeal section 121 of Irwin's Revised Code, and for other purposes.

Also, a bill to be entitled an act to change the time of holding the Superior Court of Richmond county.

Also, a bill to be entitled an act to alter and amend an act entitled an act to fix the compensation for taking down in writing, the evidence on charges of felony, approved October 10, 1868.

Also, a bill to be entitled an act to incorporate the Exchange Bank of Macon.

Also, a bill to be entitled an act to exempt from jury duty, all regular licensed physicians, who are actually engaged in the practice of their profession.

Also, a bill to be entitled an act more effectually to protect religious worship in the State of Georgia.

Also, a bill to be entitled an act to amend the charter of the town of Acworth, in the county of Cobb.

Also, a bill to be entitled an act to alter and amend several sections of Irwin's Revised Code, from section 2716 to section 2730, both inclusive, which relate to court contracts, the manner of executing, filing, construing, enforcing and rescinding the same, and awarding damages for breaches thereof, and to provide a speedy and effectual method of carrying out the spirit and intent of the laws to such contract.

Also, a bill to be entitled an act to authorize Tax Collectors of Banks county to receive jury certificates for county tax.

Also, a bill to be entitled an act to change the time of holding the Superior Courts of the Macon Circuit, and for other purposes.

Also, a bill to be entitled an act to incorporate the Mutual Protection Insurance Company, of Georgia.

Also, a bill to be entitled an act to amend an act to incorporate the proprietors of the Augusta Canal, and

to confirm certain ordinances of the City Council of Augusta therein mentioned, and to punish those who may injure their property, approved December 27, 1845, and to extend the provisions of said act, and to confirm certain ordinances of the City Council of Augusta, relating to said canal.

Also, a bill to be entitled an act to authorize the Mayor and City Council of LaGrange to issue bonds, to aid in building railroads, and for other purposes.

Also, a bill to amend the laws of this State in reference to the revision of jury boxes of this State, and the drawing of juries, and to provide for their compensation.

Also, a bill to consolidate the railroad companies known as the Chattooga Coal & Iron Railroad and the Trion Railway Company, and for other purposes.

Also, a bill to authorize Sheriffs' and other levying officers of Miller county to collect advertising fees and cost of keeping property in their possession as now provided for, before accepting affidavits of illegality and claims.

H. L. W. CRAIG,  
*Chairman Enrolling Committee.*

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the following resolution of the House, to-wit:

A resolution in relation to the prolongation of the present session of the General Assembly

The House adjourned until 10 o'clock, A. M. tomorrow.



ATLANTA, GEORGIA,

Tuesday, December 12, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev Mr. Hornady

The Journal of yesterday was read and approved.

Mr. Hunter moved to reconsider so much of the Journal as relates to the indefinite postponement of a bill for the apportionment of the members of the House of Representatives.

The motion prevailed, and the bill was recommitted.

Mr. Dell moved to reconsider so much of the Journal as relates to the passage of a bill to amend the law of this State, in relation to *habeas corpus*.

The motion prevailed, and the bill was referred to the Committee on the Judiciary

Mr Gray moved to reconsider so much of the Journal as relates to the indefinite postponement of a bill to make it a penal offense for any person retailing spirituous liquors in this State, to sell or furnish any such liquor to any minor without the written consent of the parent or guardian of such minor, and for other purposes.

The motion to reconsider did not prevail.

Mr. Gray moved to reconsider so much of the Journal as relates to the indefinite postponement of a bill to authorize married women to sue for and recover damages from any person selling their husbands liquor while intoxicated.

Mr. Russell moved to lay the motion to reconsider on the table, which motion did not prevail.

The question recurring upon the motion to reconsider, Mr. Gray called for the yeas and nays, and the call was sustained.

Those voting in the affirmative are Messrs.—

Anderson, Wm. D.,	Farmer,	Mansfield,
Atkinson,	Floyd,	Mattox,
Barron,	Flynt,	McNeal,
Battle,	Goldsmith,	McWhorter,
Blue,	Goodman,	Moreland,
Brown,	Gray,	Morrison,
Bryan,	Guerrey,	Oliver,
Bunn,	Hall of Meriwether,	O'Neal,
Chastain,	Hammond,	Patillo,
Clark of Richmond,	Hancock,	Phillips,
Clark of Troup,	Heidt,	Rawles,
Cleghorn,	Howell,	Richards,
Clements,	Johnson of Clay,	Simmons of Hall,
Clower,	Johnson of Spalding,	Simmons of Houston,
Colby,	Joiner,	Smith of Coweta,
Converse,	Jones of Gwinnett,	Smith of Oglethorpe,
Craig,	Jones of Terrell,	Stovall,
Crittenden,	Kelly,	Tarver,
Emerson,	Lewis,	Wofford of Banks,
Etheridge,	Lipsey,	Wofford of Bartow.
Fain,		

Those voting in the negative are Messrs—

Allred,	Hughes,	Riley,
Anderson, Wm. P.	Hunter,	Roundtree,
Bacon,	Jackson,	Russell,
Baker of Bryan,	Jenkins,	Sargent,
Baker of Pike,	Jones of Hart,	Sellers,
Ballanger,	Lamkin,	Simmons of Gwinnett,
Barksdale,	Lang,	Slaton,
Berrien,	Martin,	Snead,
Braddy,	McConnell,	Spence,
Cato,	Meadows,	Summers,
Chancey,	Murphy of Burke,	Summerlin,
Collins,	Netherland,	Taylor,
Cumming,	Nutting,	Trammell,
Davis of Newton,	Palmer,	Watters,
Edwards,	Paulk,	West,
Franklin,	Peeples,	Whatley,
Glover,	Pentecost,	Williams,
Griffin of Twiggs,	Pierce,	Wilson,
Head,	Pou,	Wood,
Hoge,	Reid,	Woodward.
Hudson,	Renfroe,	Wynn.

Yeas, 61. Nays, 61.

There being a tie, the Speaker gave the casting vote.

The Speaker voted in the negative, and the motion to reconsider was, therefore, lost.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has passed the following bills of the House of Representatives, to-wit :

A bill to incorporate the Macon & Chattahoochee Railroad Company.

Also, a bill to repeal part of section eight of an act entitled an act to incorporate the town of Preston.

Also, a bill to increase the pay of jurors of Bartow county.

Also, a bill to amend an act entitled an act to amend an act to incorporate the Habersham & Union Turnpike Company

Also, a bill to increase the pay of jurors in the counties of Stewart, Webster, Troup and other counties therein mentioned.

Also, a bill to create a Board of Commissioners of Roads and Revenue in the county of Paulding.

Also, a bill to fix the compensation of grand and petit jurors in the counties of Rabun and Towns.

Also, a bill to repeal all local road laws of the county of Bryan.

Also, a bill to correct and amend an act entitled an act to incorporate the Atlanta & Lookout Railroad Company.

Also, a bill to incorporate the town of Sharpsburg, in Coweta county.

Also, a bill to legalize the actions of Clerk Superior Court of Wilcox county as Ordinary of said county.

Also, a bill to incorporate the town of Rutledge, in Morgan county.

Also, a bill to incorporate the Georgia Diamond Mining Company.

Also, a bill to construct a railroad from Elberton, Georgia, to intersect with the New York & New Orleans Air-Line Railroad.

Also, a bill to change the line between the counties of Catoosa and Walker.

Also, a bill to refund to Jackson, Lawton & Bassinger, a certain amount of money.

Also, a bill to reduce the bond of the Sheriff of Banks county.

Also, a bill to fix the pay of grand and traverse jurors in the county of Crawford.

Also, a bill to regulate the pay of jurors in the county of Newton.

Also, a bill to repeal an act entitled an act to create a Board of Commissioners of Roads and Revenue, in the county of Richmond.

Also, a bill to punish any person or persons who shall assume to perform the duties of Constable in the city of Savannah, unless elected, appointed and qualified in accordance to the statute of the State.

Also, a bill to compensate the Clerk and Sheriff of the Superior Court, and other officers, for services rendered in the District Court for Richmond county.

Also, a bill to provide for the opening and clearing out of Cedar Creek, in the county of Wilcox.

Also, a bill to repeal an act consolidating the offices of Tax Receiver and Collector for Charlton county

Also, a bill to authorize Clerks of the Superior Courts, in the counties of Lowndes, Coffee, Echols, Clinch and Ware, to issue writs that shall bear test in the name of T. R. Alexander and William M. Sessions.

Also, a bill to create a Board of Commissioners of Roads and Revenue in the counties of Floyd, Berrien, Effingham, Schley, Sumter and Green.

Also, a bill to fix the time of holding the Superior Courts for Charlton county

Also, a bill to change the time of holding the Superior Courts in the counties of Elbert and Hart.

Also, a bill to provide for the election of an Ordinary for the county of Wilcox.

Also, a bill to alter and amend an act to incorporate the town of Montezuma, in the county of Macon.

The following report was submitted :

*Mr Speaker :*

The committee to whom was referred the charge of over-pay for mileage against Henry L. Hillyer, the member from the county of Camden, beg leave to report that after a full investigation, they find that there is an excess of three hundred and twenty-two miles in the audited account of said member, and an over charge of eighty dollars and fifty cents, which was paid him, and which he was not entitled to receive.

Therefore, the committee recommend :

1st. That said member immediately refund to the treasury the said sum of eighty dollars and fifty cents.

2d. That said member be brought before the bar of the House and reprimanded by the Speaker.

In the event that said member shall fail to comply with or submit to either one of the above requirements, the committee recommend that he be expelled.

(Signed)

CLAIBORN SNEAD,  
A. O. BACON,  
HENRY JACKSON.

*Committee.*

The report was taken up, and the question recurring upon the adoption of the same, Mr. Hoge called the previous question, and the call was sustained.

The report was adopted.

Mr. Henry L. Hillyer, the member from the county of Camden, then paid to Mr. Craig, Chairman of the Committee on Auditing, the sum of eighty dollars and fifty cents, to be refunded to the Treasurer, and came to the bar of the House, and was reprimanded by the Speaker.

Mr. Craig asked leave to have the following receipt spread upon the Journal, which was granted.

STATE TREASURER'S OFFICE,  
ATLANTA, GA., December 12, 1871.

Received of H. L. W. Craig, chairman of Auditing Committee of the House, eighty dollars and fifty cents, reported by him as amount refunded by H. L. Hillyer, of Camden county, for over payment of mileage.

(Signed)

N. L. ANGIER,  
*Treasurer*

Mr. Craig, chairman of the Committee on Auditing, offered a resolution in relation to the mileage drawn by T. G. Campbell, Jr., the member from McIntosh county.

The resolution was agreed to, and the following committee appointed to investigate and report thereon: Messrs. Johnson of Spalding, Richards and Floyd.

Mr. Hudson offered a resolution instructing the Committee on Auditing to examine particularly into the mileage of members before auditing their accounts, which was agreed to.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to incorporate the Rome & Raleigh Railroad Company

Also, a bill to extend the right of dissolving garnishments to persons other than defendants.

Also, a bill to extend the jurisdiction of the City Court of Augusta.

Also, a bill to incorporate the town of Dublin in Laurens county, and for other purposes.

Also, a bill to amend an act incorporating the Atlantic & Great Western Canal Company

Also, a bill to incorporate the town of Lawtonville.

Also, a bill to constitute a Board of Commissioners for Meriwether county.

Also, a bill to amend an act incorporating the town of Morgan, Calhoun county

Also, a bill to require the Tax Collector of Ware county to receive county scrip for taxes due the county.

Also, a bill to change the time of holding the Superior Courts in Campbell county.

Also, a bill to provide for the payment of a portion of the fund raised for school purposes to the city of Columbus.

Also, a bill to repeal an act entitled an act to consolidate the offices of Tax Receiver and Collector for the county of Dade.

Also, a bill to authorize the Ordinary of Campbell county to issue bonds for the purpose of building a court-house.

Also, a bill to amend the road laws of the State, so far as they relate to Lumpkin county.

Also, a bill to repeal an act entitled an act to authorize the payment of costs due the officers of court of Bartow county, and to provide therefor.

Also, a bill to change the time of holding the Superior Courts of Camden county

Also, a bill to amend an act entitled an act to confer additional powers upon the Mayor and Council of the city of LaGrange.

Also, a bill to authorize Calloway Campbell, of Murray county, to erect a mill-dam across the Connasauga river, on his own land, in Murray county.

Also, a bill to change the time of holding the Superior Court in Catoosa county

Also, a bill to legalize the adjournment of the Superior Court of Elbert county.

Also, a bill to compensate grand and petit jurors of Paulding county

Also, a bill to amend an act to incorporate the Gate City Insurance Company of the city of Atlanta.

Also, a bill to repeal certain sections of an act entitled an act to charter Georgia Mutual Fire & Life Insurance Company.

Also, a bill to increase the pay of jurors for the county of Randolph.

Also, a bill to change the time of holding the Superior Courts in the county of Worth.

Also, a bill to change the line between the counties of Coffee and Ware, so as to include the residence of Merritt Meeks in Coffee county, with an amendment in which they ask the concurrence of the House of Representatives.

Also, a bill to amend an act entitled an act to incorporate the Grand Lodge Knights of Jericho, of the State of Georgia.

Also, a bill to require the Coroner of Chatham county to hold inquests in certain cases, and for other purposes.

Also, a bill to amend the charter of the Americus & Isabella Railroad Company.

Also, a bill to incorporate the town of Resaca.

Also, a bill to create a Board of Commissioners for the county of Liberty.

The Senate has also agreed to a resolution relative to teachers of common schools, in which they ask the concurrence of the House of Representatives, and I am directed to transmit the same forthwith to the House.

The President of the Senate, on the part of the Senate, has appointed, under the act to protect the people of this State in the illegal and fraudulent issue of bonds and securities, and for other purposes, Mr. Simmons.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:



*Mr Speaker:*

The Committee on Enrollment report as duly enrolled, and ready for the signature of the Speaker, the following bills, to-wit:

A bill to establish a City Court in the city of Atlanta.

Also, a bill to be entitled an act to change the line between the counties of Catoosa and Walker.

Also, a bill to be entitled an act to incorporate the Atlanta & Lookout Railroad Company Approved October 20, 1870.

Also, a bill to provide for the election of an Ordinary for the county of Wilcox, to fill a vacancy caused by the resignation of D. C. Mann, former Ordinary of said county of Wilcox.

Also, a bill to be entitled an act to construct a railroad from Elberton, Georgia, to intersect with the New York & New Orleans Air-Line Railroad by the most practicable route.

Also, a bill to be entitled an act to repeal part of section eight of an act entitled an act to incorporate the town of Preston, in the county of Webster, and for other purposes.

Also, a bill to be entitled an act to change the time of holding the Superior Courts in the county of Worth.

Also, a bill to be entitled an act to create a Board of Commissioners for the county of Liberty, and to define their duties.

Also, a bill to be entitled an act to fix the time of holding the Superior Courts for Charlton county.

Also, a bill to be entitled an act to legalize the actions of the Clerk of the Superior Court of Wilcox county as Ordinary of said county, and to authorize said Clerk to levy a tax for county purposes, for the year 1871.

Also, a bill to be entitled an act to increase the pay of jurors in the county of Randolph.

Also, a bill to repeal an act entitled an act to consolidate the offices of Tax Receiver and Collector of the county of Dade.

Also, a bill to require the Coroner of Chatham county to hold inquest in certain cases, and also to allow certain fees unprovided for by law, and for other purposes.

Also, a bill to amend an act entitled an act to confer additional powers upon the Mayor and Council of the city of LaGrange to regulate taxation in said city, and for other purposes.

Also, a bill to compensate the Clerk and Sheriff of the Superior Court, and other officers for services rendered in the District Court for Richmond county, and for other purposes.

Also, a bill to create a Board of Commissioners of Roads and Revenue in the counties of Floyd, Berrien, Effingham, Schley, Sumter, and Green.

Also, a bill to compensate grand and petit jurors for the county of Paulding.

Also, a bill to amend an act entitled an act to incorporate the Gate City Insurance Compnay of the city of Atlanta, assented to March 12, 1866, and to change its name.

Also, a bill to increase the pay of jurors in the counties of Stewart, Webster, Troup, Terrell, Spalding, Gordon, Paulding, Early, Miller, Greene, Murray, Quitman, Fayette, Clayton, Lumpkin, Heard, Cobb, Clarke, Chattahoochee, Henry, Taylor, Macon, Telfair, Thomas, Decatur, Habersham, Monroe, Dooly, Jasper, Houston, Worth and Clay.

Also, a bill to incorporate the Macon & Chattahoochee Railroad Company, and to confer upon the same certain rights, powers and privileges.

Also, a bill to repeal an act entitled an act to create a Board of Commissioners of Roads and Revenue in the county of Richmond.

Also, a bill to be entitled an act to amend an act incorporating the town of Morgan, in the county of Calhoun. Approved March 8, 1856.

Also, a bill to be entitled an act to repeal all local

road laws of the county of Bryan, and for other purposes therein mentioned.

Also, a bill to be entitled an act to change the time of holding the Superior Courts in the counties of Elbert and Hart.

Also, a bill to be entitled an act to punish any person who shall assume to perform the duties of Constable in the city of Savannah, unless he or they have been elected or appointed, and qualified in accordance to the statute of the State of Georgia.

Also, a bill to incorporate the town of Rutledge, in Morgan county

Also, a bill to repeal certain sections of an act entitled an act to charter the Georgia Mutual Fire and Life Insurance Company, and the several acts amendatory thereto.

Also, a bill to be entitled an act to reduce the bond of the Sheriff of Banks county

Also, a bill to be entitled an act to legalize the adjournment of the Superior Court of Elbert County.

Also, a bill to be entitled an act to require the Tax Collector of the county of Ware to receive county scrip for taxes due the county

Also, a bill to change the time of holding the Superior Court in Campbell county

Also, a bill to regulate the pay of jurors in the county of Newton.

Also, a bill to regulate and fix the pay of grand and traverse jurors, in the county of Crawford.

Also, a bill to repeal an act consolidating the offices of Tax Receiver and Collector, for Chalton county

Also, a bill to increase the pay of jurors of Bartow county

Also, a bill to create a Board of Commissioners of Roads and Revenue in the county of Paulding.

Also, a bill to amend an act entitled an act to incorporate the Habersham & Union Turnpike Company, and grant certain privileges to the same, and for other

purposes herein mentioned, and to change the name of the same.

Also, a bill to incorporate the town of Sharpsburg, in the county of Coweta, and for other purposes therein mentioned.

Also, a bill to fix the compensation of grand and petit jurors in the counties of Rabun and Towns, and to provide for the payment of the same.

Also, a bill to provide for the opening and clearing out of Cedar creek, in the county of Wilcox.

Also, a bill to amend an act entitled an act to incorporate the Grand Lodge of Knights of Jerico, of the State of Georgia, and for other purposes therein named.

Also, a bill to repeal an act entitled an act to authorize the payment of costs due the officers of court of Bartow county, and to provide therefor, approved October 27, 1870.

Also, a bill to change the time of holding the Superior Court of Catoosa.

Also, a bill to change the line between the counties of Coffee and Ware, so as to include the residence of Meritt Meeks in Coffee county

Also, a bill to amend the charter of the Americus & Isabella Railroad Company, and for other purposes therein mentioned.

Also, a bill to extend the jurisdiction of the City Court of Augusta, and for other purposes.

Also, a bill to change the time of holding the Superior Court of Camden county

Also, a bill to authorize Clerks of the Superior Courts in the counties of Lowndes, Coffee, Echols, Clinch and Ware, to issue writs that bear test in the name of J. R. Alexander and W. M. Sessions.

Also, a bill to correct and amend an act entitled an act to incorporate the Atlanta & Lookout Railroad Company. Approved October 24, 1870.

H. L. W. CRAIG,  
*Chairman Enrolling Committee.*

A bill to incorporate the Peoples' Savings Bank of Newnan, was read the third time and put upon its passage.

A constitutional majority of two-thirds being required, the vote was taken by yeas and nays.

Those voting in the affirmative are Messrs—

Anderson, Wm. P.,	Graham,	Palmer,
Bacon,	Gray,	Paulk,
Baker of Bryan,	Griffin of Twiggs,	Peeples,
Baker of Pike,	Guerrey,	Pentecost,
Barksdale,	Hall of Meriwether,	Phillips,
Barron,	Hall of Upson,	Pierce,
Battle,	Hammond,	Pou,
Berrien,	Hancock,	Rawls,
Blue,	Head,	Reid,
Bowie,	Heidt,	Renfroc,
Braddy,	Howell,	Richards,
Brewton of Tatnall,	Hooks,	Richardson,
Bruton of Decatur,	Hudson,	Riley,
Brown,	Hughes,	Roundtree,
Bryan,	Hunter,	Russell,
Bunn,	Jackson,	Sargent,
Cato,	Jenkins,	Scott,
Chastain,	Johnson of Clay,	Sellers,
Clark of Richmond,	Johnson of Spalding,	Simmons of Gwinnett,
Cleghorn,	Joiner,	Simmons of Hall,
Clower,	Jones of Gwinnett,	Simmons of Houston,
Cody,	Jones of Hart,	Slaton,
Colby,	Jones of Terrell,	Smith of Coweta,
Collins,	Kelly,	Smith of Oglethorpe,
Converse,	Knowles,	Snead,
Craig,	Lang,	Spence,
Crittenden,	Lewis,	Stovall,
Cumming,	Lipsey,	Summers,
Davis of Newton,	Martin,	Summerlin,
Dell,	Mattox,	Tarver,
Edwards,	McConnell,	Taylor,
Emerson,	Meadows,	Trammell,
Fain,	Moreland,	West,
Farmer,	Morrison,	Whatley,
Floyd,	Murphy of Burke,	Wilson,
Flynt,	Netherland,	Wofford of Banks,
Franklin,	Nutting,	Wofford of Bartow,
Glover,	O'Neal,	Wood,
Goldsmith,	Ormond,	Wynn.
Goodman,		

Those voting in the negative are Messrs.—  
Anderson, Wm. D.,

Yeas, 112. Nays, 1.

So the bill was passed by the requisite majority

A Senate resolution relating to teachers of common schools and school fund, was taken up.

Mr. Cumming moved to amend by inserting "1870" between "1869 and "and" in the seventh line, and striking out all of the resolution after the word "collected," in the eighth line.

The motion prevailed, and the resolution as thus amended, was concurred in.

A House bill to change the line between the counties of Coffee and Ware, was taken up, and the Senate amendment thereto, concurred in.

Leave of absence for the balance of the session, was granted to Messrs. Chancey, Chastain, Ormond, Stovall, and Lamkin.

On motion, the House adjourned until 10 o'clock A. M. to-morrow

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ATLANTA, GEORGIA,  
Wednesday, December 13, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev. Mr. Jones.

The roll was called, and the following members present answered to their names:

Allred,	Baker of Bryan,	Bateman,
Anderson, Wm. D.	Baker of Pike,	Battle,
Anderson, Wm. P	Ballanger,	Berrien,
Atkinson,	Barksdale,	Blue,
Bacon,	Barron,	Bowie,

Braddy,	Head,	Pierce,
Brewton of Tatnall,	Heidt,	Pou,
Brown,	Hoge,	Rawls,
Bryan,	Howell,	Reid,
Cato,	Hooks,	Renfro,
Chastain,	Hudson,	Richards,
Clark of Richmond,	Hughes,	Richardson,
Clark of Troup,	Hunter,	Riley,
Cleghorn,	Jackson,	Roundtree,
Cloud,	Jenkins,	Russell,
Cody,	Johnson of Clay,	Rutherford,
Colby,	Johnson of Spalding,	Sargent,
Collins,	Jones of Gwinnett,	Scott,
Converse,	Jones of Hart,	Sellers,
Craig,	Jones of Terrell,	Simmons of Gwinnett,
Crittenden,	Kelly,	Simmons of Hall,
Cumming,	Knowles,	Simmons of Houston,
Davis of Newton,	Lang,	Slaton,
Dell,	Lewis,	Smith of Coweta,
Edwards,	Lipsey,	Smith of Oglethorpe,
Emerson,	Martin,	Snead,
Etheridge,	McConnell,	Spence,
Fain,	McNeal,	Stovall,
Farmer,	McWhorter,	Summers,
Field,	Meadows,	Summerlin,
Floyd,	Moreland,	Tarver,
Flynt,	Morris,	Trammell,
Franklin,	Morrison,	Watters,
Glover,	Netherland,	West,
Goldsmith,	Nutting,	Whatley,
Goodman,	O'Neal,	Williams,
Graham,	Palmer,	Wilson,
Gray,	Patillo,	Wofford of Banks,
Griffin of Twiggs,	Paulk,	Wofford of Bartow,
Guerry,	Payne,	Wood,
Hall of Meriwether,	Peebles,	Woodward,
Hall of Upson,	Pentecost,	Wynn,
Hammond,	Phillips,	Mr. Speaker.
Hancock,		

Present, 130.

The Journal of yesterday was read and approved.

Leave of absence, for the balance of the session, was granted to Messrs. Allred, Lewis, West, Lipsey and Smith of Oglethorpe.

Mr. Kelly offered a resolution rescinding the resolutions agreed to by this House, limiting the time in

which a member may speak on any subject, which was agreed to.

Mr. Etheridge offered a resolution that no more leaves of absence be granted on account of sickness, unless certified to by a physician, which was lost.

Mr. Hudson offered a resolution authorizing the Hon. Sterling Glover to draw the per diem and mileage of his late colleague, the Hon. Wright Brady, of Sumter county, deceased, for the benefit of the family of said deceased, which was agreed to.

The report of the Committee on Privileges and Elections, declaring that Hon. Henry Tarver is entitled to represent the county of Baker in this General Assembly, was taken up and adopted.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to incorporate the town of Whitney, in the county of Calhoun.

Also, a bill to amend the acts incorporating the village of Cave Spring, in the county of Floyd.

Also, a bill for the relief of B. Chancey, Tax Collector of Early county for the year 1869.

Also, a bill to prevent any person from hounding or killing deer in the counties of Talbot, Marion, Taylor and Laurens, in the months of May, June, July and August, with an amendment, in which they ask the concurrence of the House of Representatives.

The Senate has also passed, by a constitutional majority vote of two-thirds, yeas 22, nays 1, a bill of the House of Representatives to incorporate the Dollar Savings Bank of Fort Valley

The Senate has also passed the following bill of the House of Representatives, by a constitutional majority vote of two-thirds, yeas 28, nays 1, to-wit: a bill to



incorporate the Merchants' & Mechanics' Bank of Columbus, Georgia.

The Senate has also passed the following bill of the House of Representatives, with certain amendments, in which they ask the concurrence of the House, to-wit: a bill to levy and collect a tax for the support of the government for the year 1872, and for other purposes.

A House bill to prevent any person from hounding or killing deer in the counties of Talbot, Marion, Taylor and Laurens in the months of May, June, July and August was taken up, and the Senate amendment thereto concurred in.

Mr. Craig, chairman of the Committee on Auditing, submitted the following report:

*Mr. Speaker:*

It has been ascertained that the members from Stewart have overdrawn the mileage allowed by law, each having drawn for 500 instead of 354 miles, the actual distance. I would respectfully request that the House take immediate action in the matter.

(Signed) H. L. W. CRAIG, *Chairman*.

Mr. Craig moved that the messenger be sent to recall the member from Stewart, to whom leave of absence was granted this morning.

Mr. Bacon moved to lay the motion of Mr. Craig on the table, and the motion prevailed.

Mr. Craig, chairman of the Enrolling Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bills, to-wit:

A bill to refund to Jackson, Lawton & Bassinger, a certain amount of money, the same being overpaid by them as taxes upon certain lands in Chatham county, belonging to H. L. Toomer, a resident of South Carolina, the same being at the time under levy of attachment sued out by them.

Also, a bill to incorporate the Dollar Savings Bank of Fort Valley

Also, a bill to incorporate the town of Lawton.

Also, a bill to incorporate the Rome & Raleigh Railway Company, and for other purposes therein mentioned.

Also, a bill to incorporate the town of Whitney, in the county of Calhoun, and for other purposes therein mentioned, and to regulate the retail of spirituous liquors within the corporate limits.

Also, a bill to extend the right of dissolving garnishments to persons other than defendants.

Also, a bill for the relief of B. Chancey, Tax Collector of the county of Early for the year 1869.

Also, a bill to authorize Calloway Campbell, of Murray county, to erect a mill-dam across the Conasauga river, on his own land, in the tenth district and third section of Murray county

Also, a bill to amend the road laws of the State, so far as they relate to the county of Lumpkin.

Also, a bill to incorporate the Merchants' & Mechanics' Savings Bank, of Columbus, Georgia.

Also, a bill to amend the road laws of the State, so far as they relate to the county of Lumpkin.

Also, a bill to incorporate the town of Resaca, and for other purposes.

Also, a bill to amend an act incorporating the village of Cave Spring, in the county of Floyd.

Also, a bill to incorporate the town of Dublin, in the county of Laurens, and appoint commissioners for the same, and define the powers thereof.

Also, a bill to alter and amend an act to incorporate the town of Montezuma, in the county of Macon, and

to provide for an election, approved November 12, 1870.

Also, a bill to levy and collect a tax for the support of the government for 1872, and for other purposes.

Also, a bill to authorize the Ordinary of the county of Campbell to issue bonds to raise money to pay for the building of a court-house.

Also, a bill to amend an act incorporating the Atlantic & Greatwestern Canal Company.

Also, a bill to incorporate the Georgia Diamond Mining Company.

Also, a bill to prevent hounding and killing deer in the county of Laurens, during the months of May, June, July and August.

Also, a bill to constitute a board of commissioners for the county of Meriwether, State of Georgia.

Also, a resolution requesting his Excellency the Governor to order an election in the county of Sumter.

H. L. W. CRAIG,  
*Chairman of Enrolling Committee.*

A House bill to levy and collect a tax for the support of the government for the year 1872, and for other purposes, was taken up, and the Senate amendments thereto concurred in.

The House took up the report of the Committee on Privileges and Elections in reference to the Coweta county contested election.

Pending action thereon, the House adjourned until 10 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Thursday, December 14, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev Mr. Jones.

The Journal of yesterday was read and approved.

The unfinished business of yesterday, the same being the report of the Committee on Privileges and Elections on the Coweta county contested election, was resumed.

Mr. Simmons of Gwinnett offered a resolution as a substitute for the report.

On motion, the report and substitute were laid on the table.

Mr. Phillips offered a resolution in relation to the conduct of the Hon. Benjamin Conley, acting Governor, which, on motion of Mr. Russell, was laid on the table.

The following report was submitted :

*Mr Speaker :*

The committee appointed to investigate the mileage of T. G. Campbell, Jr., report that through a misapprehension he has drawn over-mileage amounting to \$35 50, and recommend that he be required to refund the same to the Treasurer.

D. H. JOHNSON,  
J. B. RICHARDS,  
MONDAY FLOYD.

The report was adopted.

Mr. Craig, chairman of the Enrolling Committee submitted the following report :

*Mr Speaker :*

The Committee on Enrollment report as duly enrolled and ready for the signature of the Speaker of the House of Representatives, the following bills, to-wit :

A bill to alter and amend the several acts incorporating the town of Sandersville, a municipal government with all the rights and privileges usually enjoyed by cities in Georgia as is herein set forth.

H. L. W. CRAIG,  
*Chairman Enrolling Committee.*

At the request of the chairman of the Committee on Enrollment, Mr. Johnson of Clay was added to the same.

A bill to repeal an act incorporating the town of Gainesville, under the name and style of the city of Gainesville, and to incorporate the same as a town, and for other purposes, was, on motion of Mr. Riley, taken from the table and considered.

Mr. Simmons of Hall moved to strike out the fourteenth section.

Mr. Gray offered a substitute for the fourteenth section.

Mr. Guerry moved to lay the bill and amendment on the table, and the motion prevailed.

Leaves of absence for the balance of the session were granted Messrs. Blue, Simmons of Houston, O'Neal, McWhorter, Barksdale, Jones of Hart, Mattox and Clements, the last two to take effect from the 13th inst.

On motion, the House adjourned until 10 o'clock A. M. to-morrow.

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ATLANTA, GEORGIA,  
Friday, December 15, 1871.

The House met pursuant to adjournment, was called to order by the Speaker, and opened with prayer by Rev Mr. Jones.

Mr. Pierce offered a resolution that this General Assembly adjourn *sine die* at 12 o'clock P. M., this day, and for the appointment of a joint committee to notify the Hon. Benjamin Conley, acting Governor, of the same.

Mr. Cumming offered as a substitute a resolution for the appointment of a committee of three from the

House, to confer with a like committee from the Senate, to report at what time this General Assembly shall adjourn *sine die*.

The substitute was agreed to, and the following committee appointed:

Messrs. Cumming, W. D. Anderson and Pierce.

Mr. Craig offered a resolution that the Clerk of this House and six assistants be allowed the sum of one hundred dollars each, for extra services at night, which was lost.

Mr. Simmons of Gwinnett offered a resolution, that the Secretary of State be required to have all the printing of his office done by W. A. Hemphill, the State Printer, and that the House of Representatives will not recognize any other person as State Printer.

Mr. Rawls moved to amend, by providing that said State Printer shall print the public and local laws of this session of the General Assembly at the earliest practicable day.

The amendment was accepted, and the resolution, as thus amended, was agreed to.

Leave of absence was granted Messrs. Farmer, Bruton of Decatur, Glover, Griffin of Twiggs and Mansfield, for the balance of the session.

Mr. W. D. Anderson moved that the House take a recess until fifteen minutes before 12 o'clock M., and the motion prevailed.

At fifteen minutes before 12 o'clock M. the House reassembled, and was called to order by the Speaker:

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr. Speaker :*

The Senate has concurred in a resolution of the House of Representatives, relative to the adjournment of this General Assembly, and have appointed, as a committee, on the part of the Senate, Messrs. Burns, Nicholls and Brock.

The following report was submitted :

*Mr Speaker :*

The joint committee of the two Houses of the General Assembly, appointed to confer and report as to the time of adjournment *sine die*, beg leave to report the following resolutions :

*Resolved*, That the General Assembly adjourn this day, the fifteenth instant, at 12 o'clock P. M., *sine die*.

*Resolved*, That a committee of two from the Senate and three from the House be appointed by the presiding officers thereof respectively, to wait upon and notify the Hon. Benjamin Conley, acting Governor, of the same, and ask him if he has any further communications to make to the General Assembly

JOHN C. NICHOLLS,  
B. F. BRUTON,  
J. B. CUMMING,  
G. F. PIERCE,  
WILLIAM D. ANDERSON.

The report was taken up and adopted.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof :

*Mr Speaker :*

The Senate has agreed to a resolution authorizing the Secretary of State to furnish R. J. McCamy with the engrossed copies of the acts passed by the General Assembly, in which they ask the concurrence of the House.

The Senate has also concurred in a resolution of the House relative to Public Printer, with an amendment, in which they ask the concurrence of the House.

The Senate has concurred in the amendments of the House, to a resolution of the Senate relative to teachers of common schools.

I am instructed by the Senate to transmit to the

House of Representatives, the report of the Committee on the State of the Republic, which was agreed to by the Senate.

The Senate resolution, authorizing the Secretary of State to furnish R. J. McCamy with the engrossed copies of the acts passed at the present session of the General Assembly, was taken up.

Mr. Rawls moved to amend by adding the following words: "Provided this resolution shall not interfere with the printing of the laws by the State Printer at the earliest day."

The amendment was agreed to, and the resolution, as thus amended, was concurred in.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has concurred in the amendment of the House to the resolution of the Senate, authorizing the Secretary of State to furnish R. J. McCamy with the engrossed copies of the acts passed at this General Assembly

The following message was received from the Senate through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has concurred in a resolution of the House relative to the adjournment of the General Assembly, and has appointed as the committee, on the part of the Senate, to inform the Governor of the time of adjournment, Messrs. Nicholls and Bruton.

The Senate has also agreed to a resolution relative to the number of days for which members of the General Assembly shall draw pay, in which they ask the concurrence of the House.

The Senate resolution relative to the number of days



for which members of the General Assembly shall draw pay was taken up and concurred in.

The Speaker announced the following gentlemen as the committee on the part of the House to notify the acting Governor of the adjournment of this General Assembly, Messrs. Cumming, Pierce and W. D. Anderson.

Mr. Cumming, chairman of the committee on the part of the House, reported orally that the committee had notified the Hon. Benjamin Conley, acting Governor, of the time of adjournment of this General Assembly, and that he stated to the committee that he did not recognize the General Assembly as being now in session, and, therefore, had no communication to make to the same.

The House, on motion, took a recess until 9 o'clock P. M. this day

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#### NIGHT SESSION, 9 o'clock P. M.

The House reassembled.

Leave of absence was granted to Mr. Jesse Oslin, the Messenger of this House, for the balance of the session.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr. Speaker:*

I am directed by the Senate to inform the House of Representatives that they have completed their business of the present session of the General Assembly of the State of Georgia, and are ready to adjourn *sine die* at 9:30 this evening.

Mr. Hall of Upson offered a resolution that both Houses of this General Assembly adjourn *sine die* at 12 o'clock this night, the fifteenth December, 1871, which was agreed to.

The report of the Committee on the State of the Republic, which was transmitted from the Senate this morning, was taken up and concurred in.

Mr. Hudson of Schley offered the following resolution, which was unanimously agreed to :

*Resolved*, That the thanks of this House are due and hereby tendered to the Hon. J. M. Smith, Speaker, for the able, dignified and impartial manner in which he has presided over this House.

Mr. Dell offered the following resolution, which was unanimously agreed to :

*Resolved*, That the thanks of this House are due the Hon. J. B. Cumming, Speaker *pro tem.*, for the able and efficient manner in which he has discharged his duties ; also, to James D. Waddell, Clerk, L. Carrington, assistant Clerk, Samuel Lumpkin, Journalizing Clerk, and their assistants, for the efficient manner in which they have discharged the important and arduous duties of their offices.

The House resolution in relation to the Public Printer, was taken up, and the Senate amendment thereto concurred in.

The following message was received from the Senate, through Mr. Hill, the Secretary thereof:

*Mr Speaker :*

The Senate has concurred in a resolution of the House of Representatives, relative to the adjournment of the General Assembly at 12 o'clock at night, 15th December, 1871.

Mr. Johnson of Clay offered the following resolution, which was agreed to :

*Resolved*, That the chairman of the Auditing Committee be authorized to audit the claim of each clerk in

the enrolling department for a sum not more than one dollar per diem for each day said clerk may have served, said extra compensation being in consideration of extra night service.

The Journal of this day's proceedings was read and approved.

The hour of 12 o'clock p. m. arrived, and the Speaker declared the House adjourned *sine die*.

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To repeal act to amend and secure the proceeds, profits or rents arising from homesteads in this State.. ....	51 65 236
To increase pay of jurors in county of Randolph ..	51 68 166
To limit the lien of judgments of Justices' Courts..	51 65 88
To repeal twenty-second section of act for raising revenue for political year 1869.. ..	51 69 165
To repeal so much of act to organize District Courts as is applicable to Seventeenth Senatorial District... ..	51 66 239
To bring on an election for Governor, to fill unexpired term of R. B. Bullock.. ..	51 66
To prohibit and make penal the sale of farm products by tenant or laborer, in counties of Telfair and Dodge. ....	51 65 317
To incorporate LaGrange Banking & Trust Company..	52 68 237
To repeal section 121 of Irwin's Revised Code.....	52 66 321
To change the line between the counties of Upson and Pike,	52 68 237
To repeal act to fix salaries of Judges of Supreme and Superior Courts... ..	52 66 317
To prescribe the mode of repealing the Code. ....	52 66 239
To alter and amend section 178 of Code of Georgia, to reduce per diem pay of officers and members of General Assembly,	52 68
To amend section 2261 of Irwin's Code.. ..	52 66 265
To provide for an election of an Ordinary for county of Wilcox .. ..	52 69 320
To legalize the action of the Clerk of Superior Court of Wilcox county, as Ordinary. ....	52 66 237
To repeal District Court bill so far as relates to the Twenty-First District .. ..	52 66 238

## BILLS—CONTINUED.

To provide for opening and clearing out Cedar Creek....	52 68 258
To abolish City Court of the city of Macon.. ..	52 67 81
To change the boundaries of Wayne, Glynn and Camden counties.. ..	52 68 239
To compensate grand and traverse jurors of the county of Polk,	53 67 81
To repeal act consolidating offices of Tax Receiver and Collector for Charlton county.. ..	53 66 237
To fix the time of holding Superior Court of Charlton county,	53 66 166
To amend paragraph 632 of Irwin's Code, and also to allow Coroner certain fees....	53 66 237
To punish any person or persons who shall presume to perform the duties of Constable in city of Savannah, unless he or they have been elected.....	53 66 237
To authorize the revision of the jury box in the county of Cherokee.....	53 69 110
To repeal so much of act to create two new judicial circuits as relates to creation of Allapaha Circuit... ..	53 66 327
To authorize agents and attorneys at law of defendants to make oath to pleas... ..	53 66 237
To change the line between the counties of DeKalb and Gwinnett.....	53 68 241
To prohibit and make penal the sale of any farm products, etc., in county of Dooley.....	53 67 320
To change the time of the meeting of General Assembly.	53 69 80
To legalize the revision of the jury boxes....	54 67 320
To change the charter of the University of Georgia.....	54 69 88
To regulate the return and trial of causes at law and in equity in the Superior Courts. ....	54 67 244
To provide for certain sales, with right of redemption by the vendor, etc.....	54 67 244
To prohibit the granting of license to retail spirituous liquors within corporate limits of Gainesville....	54 67 429
For the relief of M. J. Griffin.....	54 67 244
To repeal act to create Allapaha Judicial Circuit.....	53 321
To repeal act to provide for an election, etc.. ..	64 78 88
To authorize the Clerks of Superior Courts in counties of Lowndes, Coffee, Echols, Clinch and Ware to issue writs, etc... ..	65 154 258
To make it legal for Sheriffs, Constables, and other levying officers to sell personal property, without exposing same before court-house door.....	74 89 244
To increase the pay of jurors in Stewart county... ..	74 90 263
To amend act to amend act to incorporate Habersham & Union Turnpike Company .....	75 91 257
To amend section 2261 of Irwin's Revised Code. ....	75 89

## BILLS—CONTINUED.

To increase the pay of jurors in the county of Miller	.75 90	264
To incorporate the town of Colquitt. ....	.75 90	263 312
To require all persons owning land in the county of Miller to give in and pay taxes thereon in said county. ....	.75 90	337
To protect human life. ....	.75 89	265
To re-establish the vendor's lien. ....	.75 89	264
To more effectually prevent the carrying of concealed weapons	.75 89	265
To change the county of Macon from the Southwestern Circuit to the Macon Judicial Circuit. ....	.75 91	264
To change the county site of Macon county	.75 90	264
To provide for the registration of the legal voters of Liberty county	.75 90	321
To incorporate the Dollar Savings Bank of Fort Valley	.75 90	261
To require owners of wild and unimproved lands in this State, to return and pay taxes on the same, in the counties where the lands are situated. ....	.75 90	351
To repeal an act to change the time for the annual meeting of the Legislature. ....	.75 90	322
To alter and amend section 3895 of Irwin's Revised Code.	.75 90	258
To authorize the town council of the town of Calhoun to aid in construction of North Georgia & North Carolina Rail- road. ....	.76 90	257
To amend and alter and add to the several acts incorporating town of Calhoun. ....	.76 90	263
To appropriate certain moneys for compensation and reim- bursement of Samuel Weil. ....	.76 157	264
To amend charter of the city of Atlanta, by providing for the election of a Recorder and Auditor. ....	.76 154	258
To establish a City Court for the city of Atlanta. ....	.76 154	320
To increase the pay of jurors. ....	.76 157	264
To prescribe the manner in which official bonds and bonds in legal proceedings shall be taken and approved, etc. ....	.76 154	265
To change the line between the counties of Walker and Dade	.76 158	317
To make it unlawful for any person to sell property incum- bered by mortgage or lien, etc. ....	.76 155	
To change the line between the counties of Clay and Calhoun	.76 107	263
To authorize the Tax Collector of Cherokee county to pay to Ordinary the State tax for 1871, to aid in building a court- house	.76 156	265
To repeal so much of section 699 of Irwin's Code as exempts teachers, students, etc., from road duty. ....	.77 154	
To change the time of holding the Superior Courts of Catoosa county	.77 159	258
To change the time of holding the Superior Courts of Campbell county	.77 159	258

## BILLS—CONTINUED.

- To change the time of holding the Superior Courts of Camden county .. . . . . . 77 154 258
- To provide for the levying and collecting of a tax for the payment of insolvent criminal costs due Sheriff and Clerk Superior Court of Chatham county..... 77 157 332
- To prohibit and make penal the purchase or sale of agricultural products between sunset and sunrise.. . . . . 77 158 368
- To repeal an act to amend section 3151 of the Revised Code .. . . . . 77 155 331
- To repeal the first and second sections and alter and amend the third section of an act to prescribe practice in cases of injunctions, etc. . . . . . 77 155 332
- To extend the right to unite parties in matrimony to all practicing attorneys. . . . . . 77 155 321
- To repeal an act to authorize payment of costs to officers of court of Bartow county ... . . . . 77 156 258
- To increase the pay of jurors of Bartow county.. . . 77 159 258
- To amend an act incorporating the Atlantic & Great Western Canal Co.. . . . . 78 159 258
- To increase the pay of grand and traverse jurors of the county of Troup. . . . . . 78 157 264
- To repeal part of section eight of an act to incorporate town of Preston.. . . . . 78 159 258
- To amend the laws of this State in relation to garnishment. 78 155 320
- To prohibit the ordinances and laws of the city of Darien from conflicting with the interests and rights of parties shipping timber to said port.. . . . . 78 155
- To protect the public roads of Thomas county.. . . 78 155 321
- To add the counties of Clinch, Echols and Lowndes of the Allapaha Circuit, to the Southern Circuit.. . . . 106 155 356
- To create and organize a new judicial circuit out of counties composing Southern, Macon and Middle Circuits.. 106 155 356
- To levy and collect a tax from the owners of dogs in this State. . . . . . 106 158
- To amend article seven, section two, of the Constitution of the State, upon two-thirds vote of present and next succeeding Legislature... . . . . 106 155
- To repeal certain sections of an act to charter the Georgia Mutual Fire & Life Insurance Company.. . . . 106 159 258
- To incorporate the Commercial Bank of Albany .. . 106 159 166
- To establish a permanent Board of Education for the county of Bibb .. . . . . 106 158 287
- To authorize Tax Collector of Butts county to pay to Ordinary of said county taxes collected for year 1871. . . . 106 157 265
- To authorize Ordinary of Campbell county to issue bonds, .. . . . . 106 159 258
- To direct Tax Collector of Cobb county to pay the Ordinary the taxes for 1871, for certain purposes.. . . . 107 157

## BILLS—CONTINUED.

To require owners of lands in Charlton county to pay taxes thereon in said county. . . . .	106 155
To create a Board of Assessors in each county in this State, . . . . .	107 157 265
To repeal an act prohibiting the leasing or hiring of Penitentiary convicts. . . . .	107 159 265
To require the owners of lands in the county of Clinch to return and pay taxes thereon in said county . . . . .	107 155
To regulate the pay of grand and petit jurors in Cobb county, . . . . .	107 157 264
To direct Tax Collector of Cobb to pay Ordinary of said county taxes of 1871. . . . .	107 264
To amend the charter of the town of Acworth. . . . .	107 159 258
To change the line between the counties of Coffee and Ware, . . . . .	107 158 258
To authorize the Ordinary of Cobb county to issue bonds. . . . .	107 158 258
To incorporate the town of Sharpsburg. . . . .	107 158 259
To amend section three of an act to alter and amend act to extend and define limits of town of Newnan. . . . .	107 158 259
To alter and amend section 178 of the Revised Code. . . . .	107 157
To authorize and require Tax Collector of Dawson county to pay to county Treasurer State tax for 1871, for rebuilding jail. . . . .	107 157 264
To alter and amend the road laws of this State, so far as relates to the county of Dawson. . . . .	108 159 259
To regulate fees of Solicitors General . . . . .	108 156
To change time of holding Superior Courts in Elbert and Hart counties. . . . .	108 156 259
To legalize adjournment of Superior Court of Elbert county, . . . . .	108 156 320
To establish a lien in favor physicians and school teachers, . . . . .	108 157 265
To repeal an act to establish a system of public instruction. . . . .	108 158 265
For the relief of O. P. Anthony, Tax Collector of Clay county . . . . .	108 152 236
To incorporate the town of Whitney . . . . .	108 158 320
To amend acts incorporating village of Cave Springs. . . . .	108 150 259
To empower Judges of Superior Courts to appoint auditors in cases at law. . . . .	108 156 259
To amend the law in reference to wills made in another State . . . . .	108 156 322
To amend the laws respecting nuncupative wills. . . . .	108 156 320
To authorize the reception of depositions during recess of courts, etc. . . . .	108 156 287
To change the laws of distribution so far as it affects the property of married women. . . . .	108 204 320

## BILLS—CONTINUED.

To prevent and make illegal the collection of costs in any cause in which the State may be a party, etc. . . .	109 204 321
To amend act to carry into effect the second clause of the thirteenth section of the fifth article of the Constitution, 109	204 321
To incorporate the town of Resaca . . . . .	109 209 321
To alter and amend section 1640 of Irwin's Revised Code, 109	204 321
To provide for the ditching and draining of land . . .	109 209 423
To make slander or oral defamation criminal. . . .	109 204 321
To change the county site of county from Watkinsville to Athens . . . . .	109 322
To alter and amend section 3178 of Irwin's Revised Code . .	109 204 321
To repeal section 2343 of Irwin's Revised Code. . . .	109 204 321
To alter and amend sections 649 and 699 of Irwin's Code . . .	320
To compensate the Clerk and Sheriff for services rendered in District Court of Richmond county . . . . .	109 208 287
To incorporate an Agricultural Land Grant Board. . .	109 210 424
To alter and amend the several sections of Irwin's Revised Code from section 2716 to 2730 . . . . .	109 204 321
To repeal twentieth section of act approved October 25, 1872	110 167 241
To alter and amend the several acts incorporating the city of Milledgeville . . . . .	115 205 321
To alter and amend section 1977 of Code of Georgia. . . .	209 424
To restrict the operation of the several sections of Irwin's Revised Code, from section 2333 to 2346, in counties of Hart and Habersham . . . . .	116 205 351
To alter and amend section 4476 of the Code . . . . .	116 205 338
To enforce contracts of immigrants and laborers, etc. .	116 205 338
To create a Board of Commissioners in Liberty county, 116	208 347
To alter and amend act to fix compensation for taking down, in writing, evidence on charges of felony . . . . .	116 205 332
To organize a new judicial circuit . . . . .	116 206 337
To amend act to establish a system of public instruction, so far as relates to the county of Lumpkin. . . . .	116 210 360
To amend road laws of this State, so far as relates to Lumpkin county . . . . .	116 205 332
To authorize Tax Collector of Madison county to receive jury certificates in payment of taxes . . . . .	116 208 332
To constitute a Board of Commissioners for the county of Meriwether . . . . .	116 209 332
To authorize and require Tax Collector of Meriwether county to keep his office at the court-house of said county, 116	206 332
To amend the seventh paragraph of section 1711 of Irwin's Revised Code . . . . .	116 206 337

## BILLS—CONTINUED.

To incorporate the town of Rutledge.. .. .	.117	210	332
To prevent the sale of spirituous liquors within a mile of Clement's Institute. . . . .	.117	206	332
To amend an act to amend and secure the profits or rents arising from homesteads. .... .	.117	206	360
To amend the laws in relation to dower. . . . .	.117	205	
To prohibit parties from driving or carrying away stock from their own ranges. .... .	.117	209	358
To amend an act incorporating the town of Morgan...117	209	358	
To regulate lost time of laborers . . . . .	.117	209	360
To authorize Sheriffs and other levying officers to collect advertising fees, etc... . . . .	.117	205	359
To alter and amend an act to amend the charter of the city of Columbus . . . . .	.117	210	358
To authorize parties in certain cases to file bills of exception in certain cases . . . . .	.117	205	360
To provide for payment of a portion of the fund raised for school purposes to the city of Columbus. . . . .	.117	207	360
To incorporate the Merchants' & Mechanics' Savings Bank of Columbus . . . . .	.117	208	370
To amend section 4420 of the Code of Georgia . . . . .	.117	206	
To organize a State Board of Agriculture.. . . .	.117	209	
To render certain slanders penal, etc.... . . . .	.117	207	424
To regulate the pay of grand and traverse jurors in Paulding county... . . . .	.118	207	382
To create a Board of Commissioners of Roads and Revenue in the county of Paulding... . . . .	.118	209	382
To change the line between the counties of Bartow and Polk, .....	118	208	385
To exempt physicians from jury duty . . . . .	.118	208	385
To make it criminal for persons to hunt upon the lands of another . . . . .	.118	209	385
To authorize persons who have purchased real estate in the county of Rabun to have deeds recorded, etc... .118	206	385	
To ascertain amount of insolvent criminal cost yet due and unpaid officers of County Court... . . . .	.118	207	
To repeal act to create Board of Commissioners of Roads and Revenue in Richmond county. . . . .	.118	207	385
To prevent sale of farm products between sunset and sunrise in counties of Richmond and Burke . . . . .	.118	209	409
To authorize Jonathan Rose to make settlement with Sterling / G. Carter . . . . .	.118	207	
To amend the laws in relation to the punishment of capital offenses.. . . .	.119	206	424
To require defendants in certain cases to pay the costs before filing affidavits of illegality . . . . .	.119	206	424
To abolish the District Courts of this State.. . . .	.119	206	424

## BILLS—CONTINUED.

To organize a criminal court for each county of this State,	119 206
To incorporate the town of Leeton.....	119 210 422
To amend the several acts consolidated and approved February 9, 1869, incorporating the town of Lumpkin .....	119 210 422
To compensate grand and petit jurors of the county of Sumter,	119 207 424
To alter and amend an act, assented to October 6, 1868,	119 206 423
To repeal an act to change the county site of Telfair county,	119 208 382
To declare of whom juries shall be composed. ..	119 206 424
To authorize the citizens of Thomasville to elect certain officers .. .. .	119 210 377
For the relief of George C. Edwards.....	119 207 428
To alter and fix the pay of grand and traverse jurors and bailiffs of the Superior Courts of the county of Terrell..	119 206 422
To authorize the Mayor and Council of LaGrange to issue bonds to aid in building railroads.. ..	120 207 341
To amend an act to confer additional powers upon the Mayor and Council of the city of LaGrange .. ..	120 208 347
To authorize the revision of the jury box in the county of Twiggs.....	120 206 423
For the relief of William Gibson and Lewis DeLoach of the county of Upson.....	120 206 424
To protect credit of this State in lending aid to railroads..	120 210
To change the time of holding the Superior Courts of the Flint Circuit.....	120 206 359
To prescribe the manner in which lunatics, idiots, etc., shall be committed to Lunatic Asylum.....	120 210 422
To change the time of holding Superior Court in county of Worth.....	120 206 374
To more effectually protect religious worship in the State of Georgia .. .. .	120 206 374
To repeal sections 4480, 4664, 4665, 4666, and 4667 of Irwin's Code .. .. .	379
To incorporate the Georgia Industrial Agency ..	131 208 377
To authorize the authorities of Dalton to purchase and donate lands to Selma, Rome & Dalton Railroad. ....	131 209 374
To authorize the authorities of Dalton to issue bonds for educational purposes.. .. .	131 207 347
To establish a system for working public roads. ....	131 209 377
To incorporate the town of Tilton.....	131 209 374
To prevent the killing or hounding of deer in certain counties	131 209 375
To require Tax Collector of Ware county to receive county scrip for taxes due county.....	131 207 374
To extend jurisdiction of City Court of Augusta. ....	131 204 374



## BILLS—CONTINUED.

To establish an annuity for certain persons therein designated	131 207
To authorize Ordinary of Randolph county to issue bonds to build court-house. ....	132 207 374
To authorize Calloway Campbell to erect a mill-dam across Connasauga river. ....	132 210 374
To authorize sale of personal property at any place within limits of Milton county.....	132 205 377
To allow persons to make returns of taxable property to Clerk of Superior Court, etc. ....	132 205 377
To prevent fraud in laying off the homestead and exemption of personalty.....	132 205
To regulate system of farming out Penitentiary convicts..	139 210 377
To require all declarations and defenses at common law to be complete, etc.....	139 205 377
To alter and amend section 2850 of Irwin's Code.....	139 205 377
To alter and amend section 689 of Irwin's Code.. ..	139 205 377
For the relief of Charles Latimer.....	139 207 377
For the relief of Mary A. Edmondson.....	139 207 378
To provide for the payment of grand and petit jurors of the county of Fayette.....	143 208 374
To revise jury-box of Fayette county.....	143 245 378
To lay out a new county from counties of Coweta, Spalding, Fayette and Meriwether.....	143 250 377
To repeal act to consolidate offices of Tax Receiver and Collector of Dade county. ....	143 245 374
To authorize Ordinary of Early county to levy tax to supply paupers with medicines.....	143 248 424
For the relief of B. Chancey.....	143 248 374
To change line between counties of McDuffie and Columbia,	143 250 332
To regulate the wages of laborers, in certain cases, in Clarke county.....	143 245 378
For the protection of Clerks of Superior Courts and Sheriffs of this State.....	143 245 378
To incorporate the Mutual Protection Insurance Company,	143 250 321
To make the compensation of grand, tales and petit jurors of counties of Taylor and Chattahoochee, two dollars per day,	143 245 378
To amend act to establish and incorporate a medical college in Savannah.....	143 252 358
To exempt from jury duty in Chatham county all licensed physicians .....	143 245 359
To amend act to alter and amend several acts incorporating city of Macon.. ....	144 245 331

## BILLS—CONTINUED.

To incorporate the Exchange Bank of Macon...	144	252	334
To incorporate the College of Pharmacy and Health in city of Macon.....	144	250	378
To incorporate the Macon & Chattahoochee Railroad Company,	144	249	373
To authorize Nathan Chapman to exhibit sleight of hand free of taxes.....	144	245	378
To amend act incorporating town of Norcross.....	144	250	422
To incorporate town of Dublin...	144	250	378
To alter and amend third paragraph of section 2448 of Irwin's Code.....	144	245	
To regulate pay of jurors in county of Clayton. ...	144	248	378
To require Ordinaries of several counties to specify in their orders on County Treasurers the fund out of which said or- der ought to be paid..	146	272	449
To amend section 4428 of the Code..	146	272	405
To amend the attachment laws of this State.....	146	273	
To provide for the payment of the debt of Clarke county.	146		273 449
To alter and amend and add to the law of arson....	146	272	405
To allow plaintiffs in error to recover damages in certain cases.....	146	272	449
To change the county-site of Clarke county from Watkinsville to Athens.....	146	152	192
To regulate the practice of dentistry in this State	146	273	405
To repeal an act to organize the District Court. ...	147	272	450
To repeal act to make permanent the site of the public build- ings of Heard county, and to incorporate the town of Franklin..	147	272	292
To amend act to prescribe practice in cases of injunction and other extraordinary remedies in equity ...	147	271	449
To amend act to incorporate town of Hawkinsville...	147	273	449
To alter and amend section 649 of the Code..	147	271	434
To confer additional powers upon the authorities of the town of Barnesville ..	147	271	404
To repeal the usury laws of this State, etc. ....	147	162	315
To repeal act to amend act, assented to August 27, 1870.	147	271	449
To incorporate the Savannah & Thunderbolt Railroad Com- pany.....	147	272	405
To repeal and alter the punishment prescribed in certain sec- tions of the Code ..	147	272	450
To amend act to open and construct a railroad from Athens, Ga., to Clarkesville, etc.....	147	273	449
To change the time of holding the Superior Courts of Talbot county ..	147	271	405
To amend act to create a Board of Commissioners for the county of Glynn.....	147	272	292

## BILLS—CONTINUED.

To incorporate the Chattahoochee Manufacturing Company	147 273 404
To prescribe for suits against joint obligors in City Court of Savannah. . . . .	148 271 464
To amend section 4779 of the Code. . . . .	148 272 466
To provide for the mode of filling vacancies in the office of Ordinary . . . . .	148 271 466
To incorporate the town of Eastman. . . . .	148 272 464
To amend act to amend section 2741 of the Code. . . . .	148 271 405
To create a Board of Commissioners of Roads and Revenue in the county of Dawson. . . . .	148 271 464
To repeal act to provide for an election and to alter and amend the law in relation to holding elections. . . . .	148 272
To amend act to incorporate the Lookout Mountain Railroad Company. . . . .	159 249 347
To incorporate the Georgia Diamond Mining Company. . . . .	167 250 358
To incorporate the town of Lawtonville. . . . .	167 250 347
To change the time of holding Superior Courts in Middle Circuit . . . . .	172 245 257
To fix the compensation of grand and petit jurors in the counties of Rabun and Towns. . . . .	287
To alter and amend acts incorporating town of Sandersville, etc . . . . .	172 250 263
To endow the University of Georgia. . . . .	191 249
To change the time of holding the Superior Court of Richmond county . . . . .	191 245 287
To amend the usury laws of this State. . . . .	191 245 375
To provide for the payment of taxes due by employees. . . . .	191 248 380
To alter and amend sections 1035 and 1038 of the Revised Code	211 236 241
To prescribe who shall be jurors in certain cases in Baldwin county . . . . .	217 246 381
To regulate labor in the county of Baldwin. . . . .	217 246 381
To amend act to incorporate town of Adairsville. . . . .	217 246 423
To prevent any city, town, or village from imposing tax on land held for agricultural purposes. . . . .	217 254 265 457
To require Tax Receivers to take, with tax returns, number acres of lands in different cereals. . . . .	218 249 381
To reduce the bond of the Sheriff of Banks county. . . . .	218 246 378
To authorize the Tax Collector of Banks county to receive jury certificates for county taxes. . . . .	218 253 259
To repeal certain sections of the Code therein named. . . . .	218 246
To amend the homestead laws of this State . . . . .	218 246 421
To protect the people of Georgia from illegal issue of bonds, etc. . . . .	218 253 332
To change the time of holding the Superior Courts of Macon Circuit. . . . .	218 253 259

## BILLS—CONTINUED.

To alter and amend the road laws of this State, so far as relates to the county of Bibb.....●.....	218 246 279
To legalize the county tax levied by the Ordinary of Dougherty county.....	218 246 420
To amend an act to compel non-residents to pay taxes on cattle grazing in Colquitt county. ....	218 249 420
To repeal all local road laws of the county of Bryan...	219 253 259
To amend section 2532 of the Code of Georgia. ....	211 248
Relating to fences and the protection of crops.. ..	219 252 451
For the relief of Jackson, Lawton & Bassinger.....	219 249 356
To appoint a commission for certain purposes... ..	219 248 421
To endow the Atlanta University..... ..	219 252 421
To change the name of Bowdon Collegiate Institute. ....	219 254 421
To give Ordinaries authority to issue attachments.. ..	219 246 421
To consolidate the Chattooga Coal & Iron and Trion Railway Companies .....	219 251 357
To change line between Catoosa and Walker counties, ..	219 250 378
To amend section 3434 of Irwin's Code. ....	219 246 420
To amend the charter of the town of Fort Gaines .....	219 252 421
To organize a County Court in the county of Clay.....	219 246
To amend section 650 of the Code..... ..	219 248 421
To regulate and fix the pay of grand and traverse jurors of the county of Crawford..... ..	220 253 378
To amend an act incorporating the town of Thomson. ....	220 251 420
For relief of William Hamby and Adaline Hendricks. ....	220 246 421
To incorporate the Stone Mountain, Lawrenceville & Athens Railroad Company.....	220 251 359
To amend act amendatory of act to incorporate town of New Gibraltar..... ..	220 251 420
To alter and amend the wild land laws of this State.. ..	220 249 421
To incorporate the Atlanta & Tennessee Railroad Company, .....	220 251 347
To incorporate the Gate City Insurance Company.....	222 251 347
To extend the right of dissolving garnishments to persons other than defendants..... ..	222 248 357
To amend section 4026 of Irwin's Code .....	222 245 422
To incorporate the Atlanta & Monticello Narrow-Gauge Railroad Company .....	222 249 420
To grant relief to John Caldwell, of Fulton county... ..	222 245
To amend act to incorporate Home Fire & Marine Insurance Company .....	222 251
To authorize investment of trust funds upon certain terms and conditions..... ..	222 246 430
To change line between counties of Fulton and Campbell, .....	222 250 429
To create a Board of Commissioners for the county of Screven, .....	222, 246 348

## BILLS—CONTINUED.

To amend act to extend limits of town of Hartwell.	.222	251	429
To amend section 1626 of Irwin's Code .....	.223	246	430
To submit to legal voters the subject of abolishing enclosures to farms in this State..... ..	.223	252	430
To incorporate the Macon & Knoxville Railroad Co...	.223	249	320
To allow William M. Hunnicutt to peddle without license, .....	.223	253	429
To authorize Ordinary of Gwinnett county to issue bonds to raise money to build court-house.. ..	.223	253	258
To amend laws in relation to receiving jury certificates in pay- ment of county taxes in White and Habersham.	.223	253	429
To repeal act incorporating town of Gainesville ....	.223	251	352
To incorporate town of Jefferson.. ..	.223	251	421
To prohibit sale and purchase, in Jefferson county, of agricul- tural products after dark .. ..	.223	252	432
To incorporate the city of Fort Valley. ....	.223	251	410
To change the fees of officers of court so far as applies to Sheriffs of this State.. ..	.223	247	429
To require Justices of the Peace or Judicial Notaries to return to Receiver of Tax Returns all persons liable to pay taxes .....	.224	247	424
To create a Board of Commissioners of Roads and Revenue in the county of Houston.. ....	.224	247	
To amend act to establish system of public instruction.	.224	252	345
To consolidate offices of Sheriff and Tax Collector in county of Jones..... ..	.224	247	406
To incorporate the town of Clinton..... ..	.224	251	422
To compel owners of wild and uncultivated land to register said lands in county where land lies.. ..	.224	249	469
To amend section ten of an act providing for setting apart a homestead .....	.224	247	
To prescribe by law for jurors in county of Monroe...	.224	247	469
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To authorize the Governor to pay treasurer State Agricultural Society amounts due, etc.. ..	.225	249	
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